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HISTORICAL MANUSCRIPTS COMMISSION.

[57]

REPORT

ON THE

MANUSCRIPTS

OF

COLONEL DAVID MILNE HOME

OF

WEDDERBURN CASTLE, N.B.



(1873-19

Presented to Parliament by Command of His Majesty.

Bound with its Report on the MSS. of Lady Duncane.



162284.

27.5.21

LONDON :

PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE

BY MACKIE & CO. LD.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C., and
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1902.

[Cd. 931.] Price 1s. 4d.

THE MANUSCRIPTS

OF

COL. DAVID MILNE HOME OF WEDDERBURN.

THE muniments of the family of Home of Wedderburn are very numerous and relate to lands in almost every part of Berwickshire, though a few affect lands in the county of Haddington. Some of them date from the time of King William the Lion. They chiefly illustrate the history and vicissitudes of the family of which Colonel Milne Home is now the lineal representative; but they are also full of interest as throwing light on the fortunes of many old families in the Merse, as well as other branches of the name and race of Home. The collection from which the following selection has been made is preserved partly at Paxton House, partly at Caldra, and partly at the chambers of the law-agents of the family in Edinburgh; and every facility and assistance have been afforded for making the inspection thorough and complete.

For convenience of dealing with the Manuscripts here reported upon it has been judged expedient to classify them as follows:—

- i. Charters and other documents relating to the family of Home of Wedderburn.
- ii. Writs affecting lands originally belonging to the Priory of Coldingham.
- iii. Writs relating to various lands and families.
- iv. Miscellaneous Writs and Manuscripts.

Even this classification, however, does not strictly hold, for most of the papers and documents in the three last sections relate to the family of Home of Wedderburn also. But some such arrangement is necessary even though it relegates several of the most interesting discoveries, as the early Lamberton Charters (Nos. 495-500), to a somewhat remote part of this report.

To ensure a better grasp of the documents reported upon in Section I, those more particularly relating to the family of Home of Wedderburn, it may be permissible here to give a brief sketch of the history of the family itself; and therewithall for convenience of reference to subdivide the section into periods corresponding to the duration of the successive Lairdships.

For centuries the Homes of Wedderburn were one of the most predominant families of the Merse. Scions of a warlike house and posted on the Borders as if for the very purpose of guarding the "in country" against the incursions of the "auld inimeis of England" (which were so frequent that, as will be seen from some of the charters recorded, the payment of rent was a conditional matter affected by them), they were ever ready to adventure their lives in the fray, and indeed they had their full share of the fights and forays of the Border strife of old. Few of the older Lairds are known to have had any other deathbed than the battlefield, and their first funereal shroud was generally the banner under which they led their retainers to the fight, and which has come down to their descendants stained with their blood.

The family of Home is supposed to have sprung from the old Saxon Earls of Dunbar and Northumbria. One of the Earls of Dunbar had a son to whom for some deed of prowess he gave the lands of Home in Berwickshire, and he with his descendants were known as "De Home," and adopted the surname. Home Castle is one of the most conspicuous of the fortalices in the Merse. This ancient stronghold, erected on an eminence which overlooks all the surrounding country, kept its eye, as it were, not only over the neighbouring lands but also on the sea-coast and across the Tweed into England for a long distance, and seemed to indicate that it was sentinel for interests far wider than its own. Here for long was the residence of the main line of the Home family, which early rose to eminence in the political life of Scotland, being enobled as Lords, and afterwards Earls, of Home; and it is still represented in the male line by the present Earl of Home.

The Homes of Wedderburn are the oldest cadets of the family of Home. They may also be said to be the most prolific, more so even than the parent stem, both in offshoots and honours. Though the Lairds of Wedderburn themselves never attained higher than knightly rank, yet among their descendants are to be enumerated the Humes of Polwarth, enobled first as Lords Polwarth in 1690 and as Earls of Marchmont in 1697; the Homes of Manderston also, of whom a younger son, George Home of Spot, sometime Treasurer of Scotland, was enobled as Lord of Berwick, and afterwards as Earl of Dunbar; while of his two daughters and heiresses, the elder, Anne, was mother of the third Earl of Home, and the younger, Elizabeth, was wife of Theophilus Howard, Lord Walden, afterwards second Earl of Suffolk. From Wedderburn also descended the Homes of Blackadder, baronets of Nova Scotia, from whom Sir David Home, Lord Crossrig is derived; also Sir John Home of Renton, Lord Justice Clerk in the reign of King Charles the Second; the Homes of Castle Hume in Ireland, and other families and personages of distinction and note.

The History of the House of Wedderburn written in Latin in 1611 by a son of the family, as he calls himself, David Hume of Godscroft, the brother of Sir George Home of Wedderburn, Comptroller to King James the Sixth, traces the fortunes of the family

to the date mentioned. David Hume is better known by his monumental History of the House of Douglas and Angus, with which powerful family the Homes of Wedderburn were connected; both through Alison Douglas, the grandmother of David Hume, who was a sister of the Earl of Angus, and through earlier inter-matrimonial relationships, and service. His history of his own family was printed, as it was written, in Latin, for the Abbotsford Club in 1839, the manuscript in the possession of the family being lent for that purpose. There are several translations of it known to exist in manuscript, but no English edition of this work has yet been given to the world.

The first of the Homes of Wedderburn was David de Hum who in 1413 obtained the lands of Wedderburn from Archibald, fourth Earl of Douglas. They formed part of the estates of the Earl of March which on that Earl's forfeiture had been conferred on Douglas, to whom David de Hum had proved himself a faithful and devoted follower. The lands of Wedderburn were given to him in recognition of this, and so were also the lands of Bayardslands or Bardslands (*see* Nos. 1 and 2). When George Dunbar, Earl of March, was restored, he seems very willingly to have acquiesced in and confirmed these grants (No. 4). David de Hum was younger brother of Alexander Home of that Ilk, and the mutual attachment between them and the Earl of Douglas is illustrated by a story related by Godscroft. In 1424 when Douglas, who had been created Duke of Touraine in France, was about to sail for France with his retainers, among whom was David Home of Wedderburn, Alexander Home came to see him away. Douglas could not restrain his sorrow at parting and, embracing Home, said he had not thought that anything would have parted them. "Well, then," said Home, reciprocating the like emotion, "nothing ever shall." He then sent back his brother David, lest in the event of a reverse both should fall, and no competent person be left to look after the affairs of their families; and himself accompanied Douglas to France, where at the battle of Verneuil both Douglas and he were slain. There does not appear to be any direct statement in charter evidence that Alexander Home of that Ilk and David Home of Wedderburn were brothers, but there seems no reason to doubt the fact, especially as in a crown charter by King James the Second in 1452 of the lands and barony of Home, in form of entail, David Home of Wedderburn is called to the succession immediately after the main line. The charter is granted to Alexander Home, son and heir apparent of Sir Alexander Home of that Ilk, with remainder to George, Patrick and Nicolas, the other sons of Sir Alexander, failing them to Thomas and George, brothers german of the said Sir Alexander, and their heirs male successively, failing them to David Home of Wedderburn and his heirs male, and finally to Patrick Home of Rethburn and his heirs. Sir David Home of Wedderburn is said to have tended carefully the interests of his brother who took his place in the French expedition; but he had a dispute with his son about the bailiary of Coldingham (No. 3). This office, however, the Laird of Wedderburn retained, with evident appreciation of his services

therein (No. 7). He married Alice , and had two sons, (1) David, who predeceased his father before 1450, but, having married Elizabeth Carmichael, who survived until 1495, had by her two sons George and Patrick ; (2) Alexander, who by a crown charter, dated 16th May, 1460, is called to the succession of Wedderburn in the event of the failure of his brother's two sons.

George Home, the elder son of David Home the younger, succeeded his grandfather, as second Laird of Wedderburn. His brother Patrick became progenitor of the Humes of Polwarth. They married sisters, George choosing Mariota, and Patrick, Margaret, the two daughters of John Sinclair of Herdmanston by Catherine Home, sister of Alexander, Lord Home, who were also heiresses of their grandfather, John Sinclair of Herdmanston, in the lands of Polwarth and Kimmerghame. It is related that the uncle of the maidens, as heir male of the family and guardian to them, wishing to prevent these lands from being carried out of the family by their marriage, carried the maidens off from Polwarth to his castle of Herdmanston on the other side of the Lammermuir Hills. The young ladies, however, succeeded in conveying tidings of their whereabouts to their lovers, who lost no time in summoning their retainers and riding across the hills to their rescue. Investing the castle of Herdmanston they demanded their lady loves, who after some parley on the part of their uncle, were surrendered, and with no unwillingness on their part were carried back to Polwarth, where the brothers married them, and divided their lands between them. This Laird of Wedderburn was killed in an encounter with the English in 1497. He had two sons, David, his successor, and Mr. John Home.

David, afterwards Sir David Home of Wedderburn, married Isabella Hoppringle, and had, it is said, eight sons, of whom seven were old enough to accompany him to the ill-fated field of Flodden, in 1513, where he and his eldest son, George, were slain. Sir Walter Scott in his "Lay of the Last Minstrel" calls them the Seven Spears of Wedderburn. Part of the old banner which is said to have waved over the Wedderburn contingent of the Scottish army on this occasion was discovered in a tattered and fragmentary and bloodstained condition in an old strong chest at Wedderburn Castle in 1822. It is said to have been wrapped round the bodies of the Laids of Wedderburn, elder and younger, when their surviving retainers bore them home from the field of battle for burial ; and not improbably, as tradition goes, it was similarly employed when the like catastrophe again overtook the house of Wedderburn at the Drove of Dunbar on 3rd September, 1650, when again father and son, in this case an only son, and curiously bearing the same names of Sir David and George fell on the battlefield. It is matter of satisfaction that the present Laird of Wedderburn has taken steps to preserve what remains of the old banner by having it stretched out upon fresh silk and framed and placed among other trophies and emblems of the military life of the family upon the walls of one of their ancestral homes. Of the other sons of this Sir David, the second, David,

succeeded as Laird of Wedderburn; the third, Alexander, founded the house of Home of Manderston, and was father of George, Earl of Dunbar; the fourth and fifth, John and Robert, married the two daughters and heiresses of Blackadder of that Ilk (whose mother their brother David married, *see* No. 580), divided the lands between them and founded the house of Home of Blackadder; the sixth, Patrick, was progenitor of the Homes of Broomhouse; the seventh, Andrew, became a churchman: and the eighth, Bartholomew, is said to have been ancestor of the Homes of Simprin.

David Home of Wedderburn, the second son, who succeeded, had, if a short, a somewhat stirring career. Besides frequent encounters with the English and feuds with neighbours, he was involved with Archibald, sixth Earl of Angus, in his efforts to retain possession of the young King James the Fifth. He had married this Earl's sister, Alison Douglas,¹ the widow of Robert Blackadder, younger of that Ilk, who had been slain at Flodden. On Angus being worsted and forced to take refuge in England much trouble ensued to the Homes, and great turmoil in the Merse. Lord Home was decoyed to Edinburgh and executed for treason, and his younger brother, William, prior of Coldingham, was assassinated by the Hepburns. In revenge Wedderburn slew De la Bastie, the Frenchman whom the Regent Albany had installed at Home Castle as governor of the district and warden of the Eastern Marches, and placed his head on the top of the castle. He also slew Robert Blackadder, the new prior of Coldingham. For these deeds and others he was indicted for treason and forfeited. He, however, managed to makè his peace with Albany; and from him in 1517 he obtained a grant of half of the lands of Manderston, which had belonged to his chief, Lord Home. These he probably gave to his brother Alexander. He assisted the Regent, it is said, at the siege of Wark, and so signally distinguished himself in this affair that King James the Fifth presented him with a gold chain from off his own person, and granted him permission to carry as his family crest a unicorn's head gorged with an imperial crown, as part of the royal armorial bearings, with the word REMEMBER as a motto. It must here be observed, however, that the oldest preserved seal of the Wedderburn family, which appears at a document of 1444 (*see* No. 8) bears what appears to be a unicorn's head as a crest. This Laird of Wedderburn was killed in an encounter with the English in 1524. He left three sons and three daughters.

George, the eldest son, being but nine years of age when his father died, Alexander Home of Manderston, his uncle, acted as Tutor of Wedderburn for a time. When he became of age this Laird of Wedderburn is said to have been warded in Blackness Castle for some years for the purpose solely of securing the peace of the Merse, and while there that he had one or more children

¹ By their connection with the Douglasses the Homes of Wedderburn claim touch with the Royal family of Scotland. It may also be incidentally noted that the present Lady of Wedderburn traces her lineage from King Edward the First of England.

by the daughter of the Captain of the castle. At all events there are two of his natural sons, David and George, legitimated on 22nd April, 1543 (*Registrum Magni Sigilli*). He married Joan Hepburn, of the family of Waughton, and by her had a son John, who predeceased him, and two daughters who also died young. George Home of Wedderburn was slain at the battle of Pinkie in 1547.

David Home, next brother of George, succeeded as Laird of Wedderburn, but having been taken by the English at the surrender of Dalkeith, had to endure two years' captivity in England. In the troublous times of Queen Mary's reign he gave his allegiance at first to her and supported Bothwell: but after her abdication he loyally adhered to the administration in support of the young King James the Sixth. He married, first, Mariota Johnstone, daughter of the Laird of Elphinstone, by whom he had four sons and four daughters, and she dying in 1564, he married, secondly, Margaret Ker, daughter of the Laird of Linton, and widow of Pringle of Whitebank. His sons were (1) George, his successor; (2) Mr. David Hume of Godscroft, the historian of the family and of the Houses of Douglas and Angus, who was also distinguished in other branches of literature. He married Barbara Johnstone, also of the Elphinstone family, widow of Mr. John Haldane of Gleneagles, by whom he had several children. A number of papers particularly relating to him are collected in a section of this Report (Nos. 173-192). (3) Mr. James Home, who was parson of Hilton, and (4) Mr. John Home, who also applied himself to literature, but died young from the effects of overstudy. Of the daughters, the eldest Isobel, married Mr. John Haldane of Gleneagles; the second, Margaret, married David Home of the Law; the third, Julian, married Sir John Ker of the Hirsell; and the fourth, Janet, married William Cockburn of Langton. Besides these children this Laird of Wedderburn had a natural son, Patrick. He died in 1574 in his bed, and is reputed to have been the first Laird of Wedderburn who had that privilege.

George, afterwards Sir George Home of Wedderburn, who succeeded, was born at Elphinstone, and it is said was so weak and sickly a child that he had to be wrapped in black wool. After his childhood, however, he grew so rapidly that when he was twelve years of age he was shown to the Queen Dowager as a prodigy. At sixteen years of age he ceased to grow, having attained his full stature and then his beard grew just as if he had attained to manhood. He was as phenomenally distinct in his career. He was much at Court, where sometimes he was in favour and sometimes not. For a time he was Warden of the Eastern Marches, and later he was Collector, and Comptroller of the Household to both King James and his Queen. Portions of his account books in this last mentioned office are still preserved, and are chiefly valuable for the glimpses they yield of the movements of the King and Queen from day to day. They tell of visits made from time to time by the King to Dumfries, Stirling, Falkland, Dundee,

Glasgow, Dalkeith, and other places, of the visit of the Duke of Holstein, and the banquets made by the King and Queen to him and others, on which occasions there were generally large contributions of cattle, deer, fowls, etc. made by the nobles and lairds ; of how the King drank all night with the Duke of Holstein, supped with the Duke of Lennox or some one else, and that one morning at 4 o'clock he left the Queen at Dalkeith and rode off to Fife, returning two days later. The Queen's movements are also recorded in her special household accounts. But it is to be feared that Sir George's connection with the honours of Courtly office only brought to him, as it did to so many others, trouble and loss, and he seems to have found it expedient, either from this or from some other cause, precipitately to quit it (*see* No. 251). Among his charters there is one which shews that with certain lands he had the custody of the Castle of Berwick, and others show transactions with Robert Logan of Restalrig and Fast-Castle, noted for his connection with the Gowrie Conspiracy. There are also several letters on Border affairs. This Laird married Jean Haldane, daughter of the Laird of Gleneagles, and had one son and six daughters. The daughters were (1) Anna, who married James Stirling, younger of Keir ; (2) Isabel, who married George Home of Manderston ; (3) Elizabeth, who married William Ker, son of the Laird of Fawdonside ; (4) Margaret, who married first Hugh, Lord Loudoun, and secondly, Archibald Stewart of Ardgowan ; (5) Mary, who married James Dundas of Arniston ; and (6) Beatrice, who married Mr. John Dickson, minister at Kells. Sir George Home of Wedderburn died in 1616.

David, his only son, who succeeded, was knighted before 1619, and was Sheriff of Berwick in 1625. In his time the affairs of the Earl of Home became so involved that he and his mother found it convenient to leave Scotland, and they intrusted the management of their estates to their kinsman of Wedderburn, who had also drawn still closer their connection by marrying Margaret, daughter of Sir John Home of Coldenknowes and widow of Sir Mark Ker of Littledean. In the Covenanting struggle he and his only son George took an active share. They raised a regiment in the Merse of which Sir David was Colonel and his son Lieutenant-Colonel. No. 229 gives a list of the names of the soldiers in Wedderburn's Company. An interesting letter (No. 233) from a son of the Laird of Manderston, who had been in the service of King Charles the First and was now with Charles the Second at Breda, gives information of the attitude of the latter towards the expected Commissioners from Scotland, and his hopes that his Scottish subjects would aid him to rescue England from the hands of those who had put his father to death. Both Sir David and his son George fell fighting at the head of their regiment at Dunbar on 3rd September, 1650. George Home, younger of Wedderburn, was married to Katherine, daughter of Alexander Morrison of Prestongrange, and had a son and two daughters by her. Sir David Home had also a daughter, Isabel, who married Aulay McAulay, younger of Ardencaple (*see* No. 240).

The new Laird of Wedderburn, George Home, was only born in 1641 (No. 227) and during his minority his estates were managed by his mother, assisted by some of the friends of the family. Her accounts show this; and are interesting on another than family grounds, viz., that they indicate the movements of some of the Cromwellian troops after the tide of their fortunes turned at Dunbar. Katherine Morrison afterwards married James Bethune, younger of Balfour; and George Home of Wedderburn married Isabel Liddle, daughter of Sir Francis Liddle of Reedhouse, then Mayor of Newcastle. By her he had two sons, George and Francis. During his Lairdship the affairs of the family became much involved and their lands were adjudged from them by their creditors. But succour seems to have been brought to them by Sir Patrick Home of Lumsden, a descendant of Alexander Home of Manderston, who bought up the debts, and when Wedderburn's elder son, George, married his elder daughter, Margaret Home, he placed his son-in-law and daughter in possession of the estates of Wedderburn and others (No. 256), at the same time retaining so much hold of them as that further relief at a later period became necessary. Sir Patrick Home of Lumsden had a younger daughter, Elizabeth, who appears to have been in love with the younger son of George Home of Wedderburn, but whom her father seems to have had no inclination to receive as a son-in-law (*see* No. 262). This, however, did not deter them from marrying.

George Home of Wedderburn and Margaret Home had a family of six sons and three daughters, (No. 261). Both he and his brother Francis, however, took part in the rising of 1715, and were taken prisoners after the engagement at Preston in Lancashire, and after being a considerable time in prison were convicted and sentenced to transportation to be sold as slaves. George, the second son of George, was also involved, but no proceedings were taken against him. Interest being made on his behalf, George Home of Wedderburn was pardoned, but his brother was shipped off to Virginia; though upon his arrival he found that his liberty had been purchased for him by Mr. Ninian Home, minister of Sprouston, and that he was again a free man. Several letters relating to them in connection with the rebellion of 1715 are reported upon (Nos. 264-270), the last being from the pen of the celebrated Lady Grizel Baillie to Lady Wedderburn, elder, commiserating the untoward fortunes of the family and assuring her that no efforts would be wanting either on her part or on the part of her husband to obtain clemency for her sons.

In this juncture of affairs Mr. Ninian Home, then minister of Sprouston, but afterwards Laird of Billie, cordially and generously befriended the family of Wedderburn. Descended from William Home of St. Leonards, who flourished in the 16th century and was his grandfather's grandfather, Mr. Ninian Home was born in 1670, and as he was intended for the Church he had a liberal education. He also for some time served in the office of Mr. Daes of Coldingknowes, writer, whose daughter, Margaret, he married in

1700, having previously been appointed minister of the parish of Preston in Berwickshire. He was afterwards translated to Sprouston in Roxburghshire, but was deposed from this charge for alleged disaffection to the Government. By transactions in money he is said to have amassed a considerable fortune, and investing this in land he gradually acquired a very considerable property interest in Berwickshire. Evidently grieved to see the declining fortunes of so ancient and distinguished a family of his own race, he appears to have early formed the design of rehabilitating the Homes of Wedderburn, if at all possible. In a letter, dated Sprouston, 4th November, 1713, written by him to Commissary Home, in which he reflects somewhat severely upon some legal proceedings which had been taken by Sir Patrick Home of Lumsden against his son-in-law, as being contrary not only to strict equity but also, considering their relationship and Wedderburn's numerous small family, to charity, he justifies his interference in the matter thus :—" It is not easy to me to be modest upon the subject when I reflect upon the pains and trouble, not without some expense, I have been at in prosecuting a design very deliberately formed of having the honour in being instrumentall to preserve the family, not by pleading and disputing the payment of his just debts, but by frugality, a due application of his funds, and the parting with some of the now laughed-at plumes and indeed useless feathers of the family." The apparent impending ruin of the family, owing to their being involved in the rebellion, did not alter this resolution. On the contrary, it only seems to have increased his sympathy and desire to be of service. He gave his ready counsel and more substantial succour to the ladies and younger members of the family in their perplexity and distress ; he took means to convey comfort and support to the brothers in their captivity, obtaining a pass to go to Lancashire for this purpose ; and, as has already been mentioned, he purchased the freedom of the younger brother Francis. When the Laird of Wedderburn, having been pardoned and allowed to return home, died in 1720, he watched over the interests of his children, and with the design of continuing them in the ancestral possessions; bought up the claims against them, and made over the lands of Wedderburn and others to the sons of the deceased Laird in succession, excluding the second son, George, who had grievously displeased him. In terms of this entail two of these sons accordingly enjoyed the paternal estates in succession, by which time all of them had died without leaving issue. David, the eldest, to whom there are some letters from Hugh, third Earl of Marchmont (Nos. 278-280, one referring to his appointment as Treasurer to the Police, another to the death of his brother James, who was in the Navy, and the third to his marriage), died in 1764 ; and his brother Patrick, next in the entail, and then the only survivor, except George,¹ succeeded, but died unmarried in 1766.

¹ George Home, the second son, went to America, and settled at Culpepper in Virginia. He followed the profession of a land surveyor, and was employed by the Government and associated with George Washington in several pieces of service. He acquired considerable land himself, and as the Governor's Order Book of Spotylvania County shows, he married, on October 16th, 1727, Elizabeth Proctor, by

Mr. Ninian Home acquired for himself the estates of Billie, Jardinefield and others; and having two sons by his wife Margaret Daes, Alexander and George, he wished his elder son to marry the eldest daughter of George Home of Wedderburn, and so consolidate more the interests of his own family with those of the family he had so assisted. Alexander, however, refused to fall in with his father's wishes, as apparently he had set his affections upon her younger sister, Isabel, and her he married; whereupon his father in high displeasure, gave him the estate of Jardinefield as his paternal portion and dismissed him from his presence. His own wife being dead Mr. Ninian Home made up the possible disappointment of the lady by marrying Margaret Home himself in 1726 and she bore to him, some say sixteen children, but we have only the names of nine, six sons and three daughters, viz.: Ninian, Patrick, Abraham, David, Andrew and Thomas, and Isabel, Jean and Margaret. The second son of his first marriage, George, appears to have died comparatively young, as though he is named in the Wedderburn entail as successor after the children of the Laird of Wedderburn and their issue and also in that of Billie in 1742 in which he is designated as "of Billie" no further trace of him has been found. Mr. Ninian entailed his lands of Billie and others upon his children by Margaret Home.¹ With her he had a written agreement respecting the keeping of the house (*see* No. 274, etc.), but this was only in accordance with his constant and methodical practice of noting everything. He must have been a man of no mean ability, however, to have commanded, as he did, the respect of Lord Justice Clerk Fletcher of Milton, who in a letter (No. 273) promises him a bottle of the best at meeting. He died in 1744.

Of the sons of his second marriage, the eldest, Ninian, predeceased his father (*see* No. 275), and Patrick, the next son, is

whom he had six sons. From information supplied by the Hon. Frank Hume of Washington, D.C., himself a direct descendant, it appears that from these sons have sprung a numerous progeny, some of whom are still in Virginia; so that the male line of the Homes of Wedderburn still extant is by so many more augmented. Among them, by right of blood, there may be the preferential heir to the peerage of Marchmont which has lain dormant since 1794. It was claimed, and indeed assumed by one of the descendants of the before-mentioned Francis Home on the supposition that this George had also died without leaving issue. But as this could not be established the claim was not sustained. A considerable amount of correspondence exists in the family repositories showing the interest the Lairds of Paxton and Wedderburn both took in furthering the claim of their relatives of Paddockmire to this peerage, assisting them with the loan of many documents; but the return they experienced was so disagreeable that at last Mr. George Home of Paxton wrote to the claimant that he had resolved to take no further concern in his affairs, and that any further communications would be returned unopened. In a letter intimating this decision to Mr. Patrick Home of Wedderburn he says—"I think I shall adhere to [it]; but that will not hinder me from doing them any real service when it is in my power." In his letter to the claimant he says—"Be assured that if ever you succeed in your claim you will owe that success to the assistance you have already received from Mr. Home of Wedderburn and me. I here conclude our correspondence."

¹ This lady survived her husband and had her residence at Linthill House where she was found one morning in October, 1571, barbarously murdered in bed, her throat having been cut with a table knife. The perpetrator was her own servant Norman Ross, who had only designed robbing his mistress, but finding her awake, took this means to silence her. She had only made her testament in the previous month of August (*see* No. 276).

Laird of Billie in 1754. He also succeeded to Wedderburn, as heir of his mother on the death of Patrick Home of Wedderburn in 1766. He was a great traveller on the Continent and in Italy, and has left numerous note books and diaries of his peregrinations. He was for some time M.P. for Berwickshire and he is said to have built the present houses of Wedderburn and Paxton. He died in 1808 without issue, and was succeeded by his next surviving brother, General David Home, formerly known as of Caldra. He served as an officer with the regiment of the Scots Greys during the seven years' war and wrote the letters Nos. 281-284, which detail some of the events of that campaign. General David Home died in 1809, and having no issue was succeeded by his sister Jean, by this time the only surviving member of Mr. Ninian Home's second family.¹ On her death in 1820, the succession opened to the children of Alexander Home of Jardinefield, the eldest son of Mr. Ninian Home's first marriage, as heirs of their mother, the younger sister of Margaret Home, Lady Billie. His sons were three, Ninian, Francis and George, but the two first had died abroad without issue, and the third, Mr. George Home of Paxton, was therefore now Laird of Wedderburn. He was a friend of Henry Mackenzie, the author of 'The Man of Feeling' etc., and was associated with him as a prominent member of the "Mirror Club." Several letters by Mackenzie to him are given Nos. 287-295. He was also a friend of Sir Walter Scott (*see* No. 297), and of Admiral Sir David Milne, K.C.B., who wrote to him as his bosom friend and confided to him in his letters all his views upon the enterprises in which he was engaged and the political aspects of affairs at the time (*see* Nos. 304-353). His opinions on the Anglo-American, American-Cuban, and American-Canadian questions of that day are interesting from the subsequent trend of events, and it is curious to read in his letters (of which but a selection of extracts are given) under date 1815, not only of the desire of this country to cultivate friendly relations with America, and of a spirit of antipathy on the part of America, but also that their designs on Cuba, fostered by the degraded state of the Spanish Government were already clearly defined and known, and that the issue of their success would be their becoming a great naval power (*see* No. 334). In another letter he takes notice of the introduction of gaslighting into London, noting that the cost for *each* light is *only four guineas a year* (*see* No. 336). The engagements in which the gallant Admiral was engaged during the period of his correspondence with Mr. George Home are generally vividly sketched. The Admiral's portrait was painted by Sir Henry Raeburn, and a desire on the part of Mr. George Home to possess a copy from the same hand, led to some correspondence with that eminent painter (*see* Nos. 289-303).

The Admiral was destined to have a still closer connection with the Homes of Wedderburn. His first wife Grace Purves, by

¹ One of the younger sons, Thomas, went to England and lived near Exeter, where he died in 1802. He was married and had a daughter who married a French prisoner of war Captain Belloch, but left no issue.

whom he had two sons, David and Alexander, having died, he married Miss Agnes Stephens, daughter of George Stephens of the Island of Grenada, and having by Mr. George Home's advice purchased the estate of Graden, now Milne-Graden on the banks of the Tweed, he settled down on his retirement from the Navy as a Berwickshire laird. Miss Agnes Stephens had been brought up at Paxton, and was considered as a daughter of the house, and upon Mr. George Home in view of his death making a new entail of the estates, Miss Stephens was included. Before, however, she could inherit, the descendants of Jean Home, the third and youngest sister of Mr. Ninian Home's second wife had the right. She had married John Todd, minister of the gospel at Ladykirk, leaving (1) a son James Todd, who succeeded Mr. George Home of Paxton, assuming the surname of Home, but surviving him only one year; and (2) a daughter, Margaret, who married John Foreman. The two sons of John Foreman, John and William, each succeeded in turn, the former dying without issue, and the latter, having married Jean Home, third daughter of the Rev. George Home, minister of Ayton, had by her four daughters, the eldest of whom, named Jean, inherited the estates and married David Milne, the eldest son of Admiral Sir David Milne. Their son, Colonel David Milne-Home is present Laird of Wedderburn.

Section II. deals with writs affecting lands which originally belonged to the Priory of Coldingham. A goodly number of the writs in this collection emanated from the Monastery of Coldingham; and of the successive priors and commendators of that religious house, whose signatures are frequently accompanied by those of their Convent, we have mention of the following:—

William Drakis, 1441; No. 7.

John Oll, 1466, 1495; Nos. 378, 381.

David Home, 1516; No. 39.

Adam Blackadder, 1535, 1537; Nos. 441, 531.

John Stewart, 1548-1558; Nos. 57, 420, 423, 443-449, 502, 509.

Alexander Home, 1575, 1581; Nos. 451, 458.

Francis, Earl of Bothwell, 1587, 1588; Nos. 461, 504, 536.

Upon this Earl's forfeiture the lands of the priory were erected into a temporal lordship in favour of his younger son John, and Lord Home was afterwards in possession of it for a time.

Subdividing this section by an alphabetical arrangement of the lands to be noticed, we have

(1) AUCHINCRAW, a possession chiefly of the Rentons of Billie, but noting transactions with old families of Craw or Auldincraw, Nisbet, Paxton, Ellem and others. Attention may be specially directed to the Will of Alexander, Bishop of Raphoe (No. 375), to a Bond of Thirlage (No. 376), and to two documents relating to the College of Dunglas (Nos. 367 and 377).

(2.) AYTON, the town on the river Eye, (just as Eyemouth is called Aymouth or Heymouth), originally giving origin to the family of De Ayton, and of whose lands part are granted (No. 378) to George Home, son of Sir Alexander Home of that Ilk, and first of the Homes of Ayton. To him (No. 380) King James the Third

grants a licence to build a castle at Ayton, and some of the following documents show his descendants and successors in these lands. From No. 381 we learn that part of Ayton belonged to the Laird of Wedderburn in 1495; and from Nos. 385 and 387 that Nether Ayton had formed part of the possessions of George, Earl of Dunbar, and was disposed of by his daughters.

(3.) BILLIE, another early possession of the Renton family. From charters noted in one of Mr. Ninian Homes' Inventories (No. 631) it appears that the Rentons, originally burgesses of Berwick, acquired Billie in 1344-1346 from Sir William Sinclair of Roslin and John Graham of Abercorn, and held it then and afterwards from Thomas Stewart, Earl of Angus, and his successors the Douglasses as Lords of Boncle. Among other lands the Rentons had were Nunmeadow, Nunbutts and Nunflat, which they acquired in 1508 from the Prioress and Nuns of St. Bothans, (Nos. 631, 400, 401, 410); and Fastfurland or Fosterland, or more properly still, Forestersland (Nos. 338, 391) connected with which they had some curious privileges and emoluments (*see* No. 434); in connection with which should be noted the petition presented by the merchants and inhabitants of Eyemouth (No. 489). Attention may here be specially directed to the Papal dispensation (No. 392) for the marriage of David Renton and Janet Home in 1510; and to the fact that the wife of the famous General Alexander Leslie, afterwards Earl of Leven, was Agnes Renton, a daughter of the house of Billie.

(4.) BLACKHILL, a property which for some time was in possession of a branch of the Homes, is dealt with in Nos. 414-419; but these call for no special remark.

(5.) COLDINGHAM and various lands in its immediate proximity are dealt with in the succeeding papers. These show grants by the priors and others to families of the name of Home, Sleigh, Lumsden, Anchincraw and others, and negotiations between the Earl of Home, and the Stewarts for the Earl's acquisition of the priory lands (Nos. 430-433) which apparently failed through the Earl's inability to provide the purchase price. No. 436 is an interesting document as showing how the vassals of the erected lordships (that is the old Church and Monastic properties converted into temporal baronies), valued the change effected by the policy of King Charles the First in annexing the superiorities of these lands to the Crown by purchasing them from or otherwise arranging with their owners. These, indeed, looked upon the measure with no favour, but the vassals, if those of Coldingham may be taken as a sample of the rest, felt it so great a relief that they crave protection against efforts which they feared were being made to reduce them to what they call their former slavery. In Cromwell's time the Homes of Renton seem to have appraised the priory lands from the Stewarts (sons and grandsons of Francis, Earl of Bothwell,) for debt.

(6.) EYEMOUTH with the lands in and about it, and the mills, are dealt with in Nos. 441-490. These note grants by the Commendators of Coldingham and others to the Homes of

Prenderguest and others of the name, as also to families of the names of Gray, Brown, Dunlop, Hulde, Pringle, Lindsay, Donaldson, Nisbet, Yeaman and others; and give signs of the frequent friction between the superiors and vassals on the question of the thirlage to the mills of Eyemouth and Coldingham (Nos. 450, 452, 460, 468). The acquisition of some of the lands of Eyemouth by Sir George Home of Wedderburn No. 467 and others attest. No. 485 is a copy of the valuation of the parish made in 1635 for the purposes of the Commission of King Charles the First respecting the teinds, but the register having been among those lost in Cromwell's time, the valuation of the parish then made, found in private custody, was placed in the hands of the Authorities for registration to supply what had been lost. Nos. 497 and 488 are interesting rentals, giving the names and designations of many of the surrounding pieces of land.

(7.) FASTCASTLE was a possession of Patrick Home of Fastcastle, a brother of George Home of Ayton, who in 1504 was Sheriff depute of Berwick (No. 594). His lands were divided between his two daughters, Elizabeth, who married Sir Robert Logan of Restalrig, and Isabel, who married George Ogilvy of Dunlugus (*see* No. 491). This accounts for many charters of the same lands being granted by both Ogilvie and Logan (*see* Nos. 453, 454, 473, 491, 524, 525, etc.). The son of Sir Robert Logan and Elizabeth Home was the Robert Logan of Restalrig and Fastcastle of Gowrie-conspiracy fame (No. 492), and there are a number of charters by him reported upon, as Nos. 424, 464, 523 and 535. James Bour of Auchincraw, alias Laird Bour, his messenger, is mentioned as witness in Nos. 457 and 459; and the ill-fated George Sprott appears in the like capacity, first as schoolmaster in Eyemouth in 1594-5 (Nos. 465 and 466) and in 1599 and 1605 as notary there. The lands were afterwards acquired by George, Earl of Dunbar (*see* No. 494).

(8.) LAMBERTON, another early possession of the family of Renton. Nos. 495-500 form an interesting series or part of a series of early charters relating to these lands, dating from about 1190 to 1407. The first is a charter by Adam de Lamberton to his grandson, Galfrid de Haswell, and shows that at that date (c. 1190) these lands were held both of the crown and the priory of Coldingham. The second is by Sir Peter de Mordington to Simon de Baddeby; the third by Adam, son of Simon de Baddeby to his brother Richard; the fourth by Roger de Baddeby to Simon de Murehouse of certain lands held by the granter of John de Renton; the fifth is a charter of confirmation by King Robert the Bruce to Henry called Coceur of some land sold by William de Lamberton to Roger de Goswick (and is one of those charters listed in Robertson's Index of Missing Charters); and the sixth is by Robert de Renton, lord of Lamberton, to his son James of a tenement in the town of "Bruge." All these Charters are beautifully written and in excellent preservation save that most of the seals are gone. Other charters of apparently the same series are in the possession of Mr. Robert C. Campbell Renton of

Mordington, and when some of his were reproduced in facsimile for the Transactions of the Berwickshire Naturalists' Club, Colonel Milne Home, being then President of the Club, kindly consented to three of the above charters being similarly reproduced, viz. Nos. 495, 496 and 499. The long continued possession of Lamberton by the Renton family is shown in Nos. 501-508.

(9.) PAXTON with its fishings on the Tweed was (No. 509) a possession partly of the Ramsays, and partly of the heiresses of Fastcastle (Nos. 511, 512). That Sir George Home of Wedderburn and his son, as Baron of Horndean, had the superiority after 1600 Nos. 513-518 attest, and that it continued so later, a precept by Richard Cromwell (No. 520) proves.

(10.) RESTON Easter and Wester were occupied (Nos. 521-528) by families of the name of Craw, Renton and Ellem, who held their lands from the Hepburns of Hailes and the heiresses of Fastcastle.

(11.) SCHEILLUPDYKES Nos. 529 and 530 show to have been a possession of the Paxton family.

(12.) SWYNEWOOD, a possession of the Homes of Prendergust was occupied by some of the family of Craw (Nos. 531-538).

Section III is composed of Writs relating to various lands and families, and among these may be considered (1) Nos. 529-546, relating to the parent stem of the family, the Lords and Earls of Home. The first is a presentation of the prebend of Upsetlington to Sir Hugh Hudson, by Agnes Stewart, natural daughter of James, Earl of Buchan, who had been married, first, to Adam Hepburn, second Earl of Bothwell, who was killed at Flodden; secondly, to Alexander, Lord Home, who was executed in 1516, and she was now living with her third husband, Cuthbert Ramsay. No. 540 is the Testament of Alexander, fifth Lord Home, who died in 1575, in which he speaks highly of his kinsman, the Laird of Wedderburn, and others, and also of his brother-in-law, Ker of Cesford. Others of his kinsmen he all but curses as the instruments by whom his house had been brought to decay. He counsels his eldest daughter not to marry without the consent and approval of the Regent Morton, whose protection he craves for his wife and children against their oppressors, especially as his eldest son is in his minority. This son, Alexander, became the first Earl of Home, and No. 541 is a letter to him from King James the Sixth on Border matters; while No. 542 is his testament, made in 1616. The following deed is a Rental of the lands of Home evidently about 1622, as there is reference in it to the marriage contract of James, second Earl of Home, with Dame Katherine Carr on 10th August of that year. In 1634 the dispute which fell out upon his death as to the succession called forth a letter from King Charles the First (No. 544), and the third Earl's life-rent provision to his lady. in the Hirsell and other lands is noticed in No. 545. Finally a letter from Secretary Mar in 1714 to the seventh Earl of Home, asking for a correct list of the parish churches within Berwickshire and

their respective stipends, etc., has evidently to do with the Patronage Acts of Queen Anne's reign.

(2.) Nos. 547-554 give some incidental side lights upon the family of Home of Manderston. Among these will be found a contract with two brothers of the name of Fa, masons in Duns, and several documents concerning Sir Alexander Home, gentleman of his Majesty's household. No. 550 is a letter to him from Lady Jean Hay, Countess of Mar, desiring him to use his influence in reference to her husband's business at Court, especially as she fears his facility in yielding more than he ought; and No. 551 relates to the proceedings against the Homes of Manderston by John Home of Renton, the efforts of Sir Alexander to remedy matters, and his petition that as some recognition of his services the King would bestow the lands of Thriepearth upon George, his brother, to which No. 552 shows the King acceded. No. 553 is a letter from King Charles the First in the case referred to.

(3.) Nos. 555 and 556 are two documents of an early date relating to the town of Berwick upon Tweed. The first is a contract or indenture between two burgesses, John of Wallace and Peter of Berwick, in 1324; and the other is a charter by Roger of Stirling to John of Renton, also burgesses of Berwick, of lands in the Snook in 1424. Both are beautiful specimens of the charters of that date.

(4.) Nos. 557-559 relate to the acquisition and possession of the lands of Caldra by a branch of the Cockburn family, from whom they were afterwards purchased by the Homes of Wedderburn.

(5.) Nos. 560-563 treat of Duns lands, including the Kirklands once possessed by Mr. Peter Danielston, parson of Duns, who was son of a burghess of Linlithgow.

(6.) Nos. 564-569 deal with the lands of Graden and Darnchester.

(7) Nos. 570-576 present a few writs relating to lands in Haddingtonshire, some of them of early date. The lands are Pencaitland, Kidlaw, Woodfoot and Oldhamstocks.

(8.) Nos. 577-581, show that the lands of Hilton were originally the property of the Earls of Glencairn who parted with them to Blackadder of that Ilk; and that the two daughters of Andrew Blackadder who married the two sons of the Laird of Wedderburn, slain at Flodden, brought them to their husbands.

(9.) Nos. 582-588 treat of Kimmerghame, the first being a transumpt made at the instance of the two heiresses already referred to and their husbands, the Laids of Wedderburn and Polwarth, in 1468, of a royal confirmation in 1429 of a charter granted in 1378 by Margaret Stewart, Countess of Mar, daughter of Thomas Earl of Angus, to her brother, John Sinclair of Herdmanston, of the lands of Kimmerghame. One of the witnesses to her charter was William, Earl of Douglas and Mar, who married her husband's sister and heir to the earldom of Mar, and who was father of her son George, the first Douglas Earl of Angus. His son, William, second Earl of Angus, granted the precept No. 583. The service of Mariota Sinclair as one of her grandfather's heirs is given in No. 586.

(10.) Nos. 589-595 refer to some lands in Lauderdale chiefly in the time when it was owned by the Douglasses, and show grants by them to the Sinclairs and others. Some respect the lands of Carfrae and Herdmanston; another the lands of Thirlstane, and the two last lands in Earlston.

(11.) Nos. 596-600 show that the lands of Whitsome were a possession of the Hepburns of Hailes in the fifteenth century and that after the forfeiture of Bothwell in 1568 they came to the Homes of Manderston and were afterwards acquired through the Cockburns by the Homes of Wedderburn.

Section IV comprises some miscellaneous writs and manuscripts. Of these No. 601 shows the possession of Polwarth by John Sinclair of Herdmanston and his wife in 1444, and No. 603, his acquisition of a lodging in the Canongate in 1462. No. 602 is a grant of the lands of Moriston in 1445 to a son of Austruther of that Ilk, a Fifeshire laird. In No. 604 there is the record of the refusal by Archibald, Earl of Angus (Bell the Cat) to obey certain instructions sent to him by the King, at least until he had consulted the Lords of Council. No. 606 is an interesting document, being a letter to the Pope craving the removal of a process of excommunication which had fallen upon the adherents of Prince, afterwards King James the Fourth in his insurrection against his father. The refusal of John, Bishop of Brechin, in 1548 to give effect to the royal presentation in favour of a base son of Sir Patrick Hepburn of Waughton to the Chancery of his diocese is narrated in No. 608. Nos. 607 and 610 refer to the Houses of Prendergast; and No. 611 to George, Earl of Dunbar, while known as Sir George Home of Greenlaw. Nos. 612, 618, 623 and 624 relate to the Homes of Blackadder, and Nos. 615 and 617 to the Homes of Ninewells; while No. 626 sketches the line of the Homes of Polwarth in the form of a birth-brief granted in 1668 to Mr. Alexander Home, the brother of Sir Patrick Home of Polwarth, baronet. No. 629 gives a survey of the Scottish offices of State and their emoluments, etc., in or about 1696; and in Nos. 631-645 are noted some of the manuscript volumes preserved in the Collections of Colonel Milne Home of Wedderburn. It may also here be added that finding several volumes of the Kirk-Session Minutes of the parishes of Duns and of Sprouston among his manuscripts, Col. Milne Home has restored them to their respective Churches.

I. CHARTERS AND OTHER DOCUMENTS RELATING TO THE FAMILY OF HOME OF WEDDERBURN.

(1). DAVID HOME of WEDDERBURN, Knight; 1413-1443.

1. Charter by Archibald, fourth Earl of Douglas, to David of Home, his esquire, of the lands of Wedderburn, undated—but granted at Edinburgh, *circa* 1413:—

Omnibus hanc cartam visuris vel audituris, Archibaldus, Comes de Douglas, Dominus Galwidie, Vallis Anandie et de Wedirburne,

salutem in Domino sempiternam : Noveritis nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto scutifero nostro, David de Hume, pro suo servicio multipliciter nobis impenso et impendendo, omnes et singulas terras nostras de Weddirburne infradictas cum suis pertinenciis, jacentes infra vicecomitatum de Berwik et comitatum Marchiarum : Tenendas et habendas omnes et singulas terras nostras predictas de Weddirburne cum pertinenciis predicto David de Hume et heredibus suis quibuscunque de nobis quamdiu viximus in humanis et post decessum nostrum de nobile et potente domino, Domino Georgio de Dunbar, Comite Marchiarum, et heredibus suis quibuscunque, in feodo et hereditate imperpetuum, in boscis, planis, moris, maresiis, aquis, stagnis, viis, semitis, pratis, pascuis, et pasturis, turbariis, petariis et carbonariis, lapide et calce, brueriis et genestis, molendinis, multuris et eorum sequelis, fabrilibus et brasinis, aucupacionibus, venacionibus, et piscacionibus, curiis et curiarum exitibus, bludewitis, merchetis et waitht et aliis eschaetis quibuscunque, ac cum tenentibus et tenandriis ac serviciis liberetenencium earundem, et cum libero introitu et exitu ad pasturam communem, neenon cum omnibus aliis et singulis libertatibus, commoditatibus et aisiamenis et justis suis pertinenciis quibuscunque, tam non nominatis quam nominatis et tam procul quam prope et tam sub terra quam supra terram ad easdem terras de Weddirburne cum pertenenciis spectantibus seu juste spectare valentibus infuturum : Faciendo inde dictus David et heredes sui nobis pro tempore vite nostre ut prefertur, apud curiam nostram capitalem regalitatis de Lawedyre singulis annis proximo post Pascha ibidem tenendam unam sectam tantum, et post decessum nostrum prefato domino, Comite Marchie, et suis heredibus quibuscunque serviciia per nos sibi fieri debita et consueta. In cujus rei testimonium huic presenti carte nostre sigillum nostrum fecimus apponi, apud Edinburgh, hiis testibus, Dominis Willelmo de Haya de Louchorwort, Willelmo de Borthwik de eodem, militibus, consanguineis nostris dilectis, Roberto de Hoppringill, Georgio de Rutherfordde, Willelmo de Sancto Claro, scutiferis, cum aliis multis.

2. Charter by Archibald, Earl of Douglas, and Lord of Galloway, Annandale and of Hutoun within the sheriffdom of Berwick, to his beloved esquire, David of Hume, for his services rendered and to be rendered, of the lands called Bayherdlands with their pertinents, lying in the granter's lordship of Hutoun in Berwick, which lands formerly belonged to Marjorie Harearse and were resigned by her in the granter's hands at Edinburgh : to be held by the foresaid David of Hume and his heirs and assignees whomsoever, of the granter and his heirs, lords of Hutoun, in fee and heritage, for payment of one penny silver in name of blench within the parish church of Hutoun, if asked only, for the ward, relief and marriage and the rest of the secular services which can be required from the said lands. Dated at Edinburgh, 23 March 1415. There are no witnesses.

3. Agreement between Alexander Home of that Ilk, and David of Home of Wedderburn, about the bailiary of Coldingham :—

This Indentour made at Dunglas the xiiij day of the moneth of Apryle the yeur of our Lorde j^mecce twenty and fyfe, proportis and beris witnes that it is acordyt betuix worschipful men, that is for to say, Alexander of Hume, Larde of that Ilk of the ta part, and Davy of Hume, Larde of Wethirburne of the tother part, in the maner and forme at folowys, that is for to say, that the sayd Davy sal do his besines lely but fraude to purches the balyhery of the hous of Coldyngham to hym selfe alsweil at the pryor and the convent of the hous of Durham as at the pryor and the monkis of the house of Coldyngham, and at ony uthir way qwhar the sayde balzery may be purchest and qwhar the sayd Davy may at ony hand recover it. The sayd Davy beand in that office of balzeri of the sayd hous of Coldyngham, than he oblysis hym to the sayd Alexander but fraude or gyl that he sal hafe the tane halfe fullye of [the prof]itis that may be raysit or recoverit of the sayde balzeri and of the office of it, alsweil of the [service] of the men as [of . . . prof]itis of it. And the sayd Davy oblysis hym in qwhat time the sayde Alexander [thynkis it] spedeful he sal do [his bus]ines to purches the office of the hale balzery of the sayde hous to the sayde Alexander for al the terme of his lyfe, and the sayd Alexander beand balze, browkand the sayde office, than he oblis his hym to gife to the sayde Davy half of al the forsayde profits that may be raysit of the forsayde office of balzeri, but fraude and gyl. And at al thir thyngis, cunandis and condicionis befor wryttyne lely and trewly to be kept as before is sayde, but fraude and gyl of ony part or ony exceptione to take in tyme to cum bath the sayde partis, the Haly Evangelis twychit, has giffyn bodili athys. In witnes of the qwhilk thyng bath the sayd partis thair selis enter-changeably to this indentour has to set the day, moneth, yher and place befor sayde.

4. Charter of confirmation by King James the First whereby he confirms a charter of confirmation by George of Dunbar, Earl of March, of the charter granted by "his beloved brother, Archibald, Earl of Douglas," to his esquire, David of Hume, of the lands of Wedirburne (No. 1 *supra*), and promising that he and his heirs will immediately upon the death of the said Earl of Douglas, receive and admit the said David of Hume and his heirs among their tenants of the foresaid lands. The Earl of March's charter is dated at the Castle of Dunbare, 29th February 1413, no witnesses being named; and the King's charter, confirming both, is dated at Perth, 19th April, in the 26th year of his reign (1431); witnesses, John, Bishop of Glasgow, Chancellor; Sir John Forrester, Chamberlain; Sir Walter of Ogilvy, Master of the King's Household; Mr. William of Fowlis, provost of Bothville, Keeper of the Privy Seal; and Mr. Thomas of Myrtoun, Dean of Glasgow, Lord Treasurer.

5. Precept of Sasine by William of Douglas, Earl of Angus and Lord of the Regality of Jedwood Forest, and of the lands of Wollee and Wolhoplee, directed to Nicolas of Ruthirfurde and Henry Wilson, as his bailies, to infest his beloved esquire, David of Hume, in the lands of Lee, Wollee and Wolhoplee, with their pertinents, lying in the granter's regality of Jedwood Forest and sherifdom of Roxburgh, which he has bestowed upon him for his services done and to be done to him. Dated at Edinburgh, 24th July 1436.

6. Declaration as to the giving of Sasine to David of Home in the lands of Wolle and Wolfhoplee, 1436 :—

Universis ad quorum notitias presentes litere pervenerint, Nicolaus de Rutherfurd de Zhetam, ballivus, et Henricus Willelmi, serjandus magnifici et potentis domini, Domini Willelmi de Dowglas, militis, Comitis de Anguse, specialiter in hac parte deputati, salutem in Domino: Cum pium sit et meritorium omnique rationi consonam testimonium perhibere veritati, hinc est quod universitati vestre tenore presencium veraciter notificamus et testimonialiter declaramus quod ultimo die mensis Julij anno Domini M^o cccc^o xxxvj^o de mandato dicti domini Comitis domini nostri nobis per literam suam ballivatus directam, tradidimus sasinam hereditariam nobili viro, David de Howme, de omnibus terris cum pertinenciis de Wolle et de Wolfhople, jacentibus infra regalitatem nostram de Jedwood Forest infra vicecomitatum de Roxburgh, super fundo dictarum terrarum per terre et lapidis tradicionem, ut est moris, secundum formam et tenorem carte dicti domini nostri Comitis quam idem David de Home habet inde confectam, juris solemnitate in hujusmodi fieri consueta mediante, in presencia testium subscriptorum, viz.—Thome de Cranstoun de Denum, Johannis de Rutherfurd, filii et heredis dicti Nicolai de Rutherfurd, Jacobi de Rutherfurd, Johannis de Rutherfurd de Hundwelle, Georgei de Cranstoun, Jacobi de Cranstoun, Patricii Robson, Johannis de Hall, Willelmi de Lee, Roberti de Lee, Thome Olyver de Swyne, Thome de Hall, Willelmi Johannis, Johannis Elwald, Jacobi Crosare et Patricii Bylhope et aliorum quam plurimorum ibidem existentium; et hoc omnibus quorum interest vel interesse poterit notum facimus presencium per tenorem veritati testimonium in hac parte perhibendo. In quorum fidem et testimonium sigillum predicti Nicolai presentibus est appensum anno, die, mense et loco prenotatis.

7. Notarial Instrument narrating that on 23rd April 1442 Sir David of Hwm, Lord of Wederburn, knight, appeared before the subscribing notary and witnesses and produced an indenture written on parchment, and sealed with the common seal of the Cathedral Church of Durham in green wax, bearing on one side the head of St. Oswald and on the other the beads which are called the arms of St. Cuthbert, which indenture bears date at Durham 16th September 1441, and is made between John, Prior, and the Convent of the Cathedral Kirk of Durham, and William,

Prior of Coldingham, on the one part, and Sir Davy Home of Wedderburne, knight, on the other part, whereby they, considering the "trew, profitabill and gud service the quhilk the said Schir Davy has don and sall doo in tyme comyng to the Kyrke of Durhame, thair cell and the priory of Coldynghame," grant to him the office of Bailie of the "said celle and the baronry of Coldynghame" for forty years after the date hereof. For his fee he is to receive the sum of ten pounds yearly so long as he keeps the office in his own person, and over and above this, other ten pounds yearly in the name of reward for his above-mentioned services. Should he die within the term stated, viz. forty years, this agreement is thereby terminated. He is not to lease the lands of Coldynghame without the consent of the Prior and his successors, and he is to "supporte, mayntene, and defende the rhyctis, fredomis and possessionis of the said Prioure and the Kyrke of Coldynghame" and not to interfere with the Prior in dealing with his own servants or disposing of his goods "as othire abbasse dois within realme of Scottlande to the most profite of the place." He is to deal with transgressors within the barony and to do all other things that belong to the office of bailie. For the faithful discharge of his office "the same Schir Davy befor the said Priour and his Consell has bodely schorne (*sic*) apon a buk." Both parties interchangeably appended their seals. On the production of this document Sir David asked instruments, there being present, Hugh of Spens, William of Aldyncraw, James of Hum, Alexander of Nesbet, Thomas of Lumysden, William of Aldyncraw John of Paxtoun, Patrick Kellow, Adam Cousour, Brice of Hume and James of Aldyncraw; Thomas Thorycht, chaplain of St. Andrew's diocese, being notary.

8. Discharge by Sir David Home of Wedderburn, to Sir Alexander Home of that Ilk:—

Be it kend till all men be thir present letters me David of Hwme of Wedderborn, knyght, till half rasawit fra Sir Alexander of Hwme of that Ilk, knyght, all and hall the somys of nowit and schep the quhilkis he had of myn, and quhar the nowit and schep lakit, the somys of silver for thame, the quhilkis wes jugit to me be a decret giffin be a mychti Lord and his consail, James, Erl of Angouss; of the quhilk somys of nowit and schep and silver I hald me fully content: And attour I haf rasawit fra the said Sir Alexander v *lib.* of the vsuall monee of Scotland of the terme of Martymess bygayne, the quhilk wes ordanyt me to haff be the said decret, of half the profit of the balyery, off Coldyngayne; off the quhilkis somys I hald me fully content and weil paid. And I the said David for me and myn ayris quhitclamys and dischargis the said Sir Alexander and his airis of the said catail and the said monee for evirmar be thir present letters. In witness of the quhilk thyng to thir said letters I set my seill at Cowbrandispeth the xvj day of the moneth of Januer, the yeir of our Lord M^occcc^{xliij}o.

The discharge is written on parchment, and the discharger's seal, somewhat broken and hard to decipher, is still affixed. It bears a shield couché on which is a lion rampart, having for a crest on a helmet the head of a unicorn or bird, and for supporters two birds, which may be eagles, *regardant*.

(2). GEORGE HOME OF WEDDERBURN; 1469-1497.

9. Instrument of Sasine in favour of George of Hume in the lands of Wolle with pertinents, lying in the lordship of Jedworth Forest, as heir to his grandfather, David of Hume, knight, who died last infest therein; proceeding upon a precept by Archibald, Earl of Angus, lord of Jedworth Forest, of whom the lands are held in blench farm for payment of a red rose, dated at Edinburgh, 14th May 1469. Sasine was taken on 19th May following; witnesses, Gilbert Schell, Robert Hall, Gilbert Halle, William Wode, William Tode and Richard Henrison; William Bell, priest of St. Andrew's diocese, being notary.

10. Charter by Archibald, Earl of Angus, and Lord of Douglas, whereby he freely gives and confirms to George of Home of Wethirburn, all and whole the half of the lands of Kimmerghame with the superiority and services of the free tenents thereof, lying within the granter's regality of Boncle and sheriffdom of Berwic. These lands formerly belonged heretably to the deceased John Synclare of Hyrdmanstane, but through his death had fallen into the hands of the granter as superior; to be held by the said George of Home and his heirs and assignees, of the granter and his heirs, in fee and heritage for payment annually of one silver penny at Whitsunday in name of blench farm, if asked; dated at Edinburgh 15th May 1470; witnesses, John Malevyn, James of Carmichel, John Hamilton, Robert Inglis, David Home, David Anguse, Gilbert Geddes, John Clerk, Alexander Couper, and George Wynter. Signed, ARCHIBALDE, ERL OF ANGUSE. The granter's seal is appended.

11. Instrument of Resignation of the lands of Wolle made by George Home of Wedderburn in the hands of Archibald, Earl of Angus, and Lord of Dowglas, his superior thereof, in favour of David Hom, his son and apparent heir, but reserving his own liferent, and also the reasonable terce of these lands to his wife, Mariota, if she survived him. Mr. George Cayrmichell, treasurer of Glasgow, acted as attorney for David Hom. This took place in the monastery of Holyrood near Edinburgh on 29th November 1474; witnesses, William of Cayrmichell, James Balze, Robert Pringyl, Robert Gudhose, Alexander Malvyn, and David Fyrsaille; William Bell, priest of St. Andrew's diocese, being notary.

12. Instrument of Sasine in favour of David Hom, son and apparent heir of George Hom of Vodderburn, in all the lands of Vodderburn, given by George Ker of Samelstoune as bailie appointed in a precept from Chancery, to Alexander Chernside

of Quhitsumlawis as attorney of David Hom; dated 9th November 1474; witnesses, John Chernside, David Chernside, James Hom, Alexander Hom, William Ker, Thomas Broun, John Clerk and John Ellom, William Bel, priest of St. Andrew's diocese, being notary.

13. Precept of Sasine by Archibald, Earl of Angus, and Lord of Douglas and of the regality of Jedworth Forest, directed to Archibald of Douglas, Adam Ker and John Atkinson, as his bailies, to give sasine to his beloved cousin, David Hume, son and heir apparent of his beloved cousin, George Hume of Weddirburn, in the lands of Over Wolle, Nether Wolle and Wolfhople with their pertinents, lying in the said regality and sherifdom of Roxburgh, which had been resigned by the said George Hume at Edinburgh; dated at Edinburgh 12th January 1474-5. The Earl's seal is appended. Sasine was taken hereon by David Rantoun as attorney of the said David Hume on 24th May 1479, John Atkinson acting as bailie; witnesses, David Schevile, Alexander Schevil, George Turnbull, George Dow, Richard Henrisone, Robert Hall, and Herman Turnbull. Patrick Atzensone, M.A., clerk of the diocese of Glasgow, is notary.

14. Charter by John Jardin of Appilgarth, whereby he sells to George Hume of Wedderburn all his lands of Jardinfeld, with the exception of the messuage and three acres of land adjacent thereto, to be held of the granter in blench farm; dated at Edinburgh 5th July 1476; witnesses, Alexander Jardin, son and heir apparent of the granter; Mr. George Carmychel, treasurer of Glasgow; Mr. Archibald Jardin, rector of Hertside; Sir William Jardin, rector of Appilgarth; John of Carmychel, Thomas Fodringhame of Poury, and William of Audincraw. In a Bond dated the previous day and witnessed by the same persons, John Jarding promises that if he shall happen to redeem the lands above granted, he will at the time of redemption, give a ten years' tack of them to the said George Hume and his heirs for the yearly payment of six merks.

15. Precept of Sasine (on paper) by Alexander, Duke of Albany, Earl of March, Lord of Annandale and Man, directing his steward of the March to infest George Home of Wedderburn in the fifteen acres of land with pertinents on the south side of the town of Duns which Alexander Chernside had resigned in the hands of the Duke, and the Duke had granted to the said George Home; dated at Dunbar, 24th September, 1476.

16. Instrument of Sasine in favour of George Home of Wedderburn in fifteen acres of land with their pertinents lying in the lordship of Dunse and earldom of March, given on 7th of October 1476 by John of Murrafe, steward of Alexander, Duke of Albany, Earl of March and Lord of Annandale; witnesses, Thomas of Chernesyde, Thomas of Johaldstoun, William Dicson, indweller in Duns, Andrew Hume, Patrick of Wod and others.

17. Instrument of Sasine of George Home of Wedderburn in five merks worth of the Plewland; 1478:—

Till all and sundry to quhais knowlage thir present letters sall to cum, Johne Trottar of Fluriswall, gretynge. Wot yeme as balze till ane nobill man, Alexander Hwme of that Ilk, be his patent letters under his sele giffand me tharto speciale powar with all clausis nedfull in deu forme and that in speciale commandment chargiand me thairto of his behalf, till haff gevyn till George Hwme of Weddirburn heretable state, seissing and possession of fif markis worth of land with the pertinentis of the plew of land lyand within the schirafdom of Berwic be tradicione of erd and stane and all thing doying thairto requisite be law and consuetude of the realme of Scotland, and herthrow hym till haf introduct in reale, actuale and corporale possessione heretabill of all and hale the saidis landis with thair pertinentis efter the tenor of his charter thairof to hym maide be the said Alexander; in the witnessing of the quhilk cessing I haf set to my sele at the samyn plew of land the ferd day of the moneth of November the yer of God a thowsand four hundreth sevynti and aucht yeris, befor thir witnes at the sessing beand present, Richard of Edington, Andrew Hwme, David Rantone, Robert of Edington, Thom Hasti, David Chernsid, and otheres. John Trotter's seal is still appended, displaying a shield with three cinquefolls, two and one, and at fess point a crescent, enclosing a mullet.

18. Notarial Instrument, narrating a contract of marriage, dated at Samelstoun, 1st February 1478, between Alexander Home of that Ilk, George Home of Weddyrburn, and Sibill of Home, sister of the said George, on the one part, and Henry Hatly of Mellorstanis on the other part. The said Henry is to marry the said Sibel before Fastern's even next, and binds himself to infett her in his lands of Mellorstanis and Fawnys, with the mill thereof and all other lands he holds of the Lord of Albany and Earl of March, in liferent, and the "eldest mail ilk male eftir other gre be gre descendand to be gottin heretabelie betuix tham," whom failing, the nearest and lawful heirs of the said Henry in fee. With her he is to receive a tocher of two hundred merks Scots, for payment of which George Ker of Samelston, Mr. George Carmichael, treasurer of Glasgow, and the said George Home become sureties, and of this sum forty merks are to be paid within twenty days after the marriage, and twenty more at each succeeding term of Whitsunday and Martinmas until payment is completed. The said Henry binds himself to fulfil the contract under a penalty of four hundred merks to be paid on the high altar in the Collegiate Kirk of Dunglass; witnesses, John of Ellem of Buttirden, William of Mandirstoun of that Ilk, Sandiris of Lawdyr, Schir Gilbert Merschaell, Schir Thomas Pollo, and Schir Thomas Anderson, priests, and Schir Thomas Aytoun, priest and notary.

19. Charter by Alexander Hwme of Susterpeth to George Hume of Wedderburn of a carucate of land, with pertinents,

presently occupied by Richard of Edyntoun, reserving a manse and a merk of the same on the east side ; to be held in blench farm of the granter ; dated at Polwart, 1st November 1478 ; witnesses, George Ker of Samelston, William of Mawndirstoun of that Ilk, David Rentoun, Mr. Patrick of Cunyngham, rector of Hilton, and Sir William Hall, priest. The seal of the granter is appended.

20. Declaration by John of Roule, steward of Alexander, Duke of Albany, etc., specially constituted in that part, that in terms of letters granted by the said Duke to him under his great seal, he had given sasine to David Hwme, son and apparent heir of George Hwme of Wedderburne, in half of the lands of Polworth with the chief chemys, and the advocation of the kirk at alternate turns. For testification whereof, having no seal of his own he has procured those of Henri of . . . stanyes and of John of Spense of Haidence to be appended. Done at Polwart . . April 1479 ; witnesses, Sanderis Trottar, George Trottar, William of Leurmonth, Thom of Wod, David Ranton, Andrew Hwme, Thom of Nesbet and others.

21. Precept of Sasine, by Alexander, Duke of Albany, for infetting David Home, younger, of Wedderburn, in half of the lands of Polwarth and others, resigned by Mariota Sinclair, his mother, dated at the Castle of Dunbar, 25th April 1479 :— Alexander, Dux Albanie, Comes Marchie, Dominus Vallis, Anandie et Mannie, etc, dilectis nostris Alexandro Home de eodem, David Rantoun de Bille, Johanni Roule et Patricio Smetoun, senescallis irrevocabilibus conjunctim et divisim in hac parte specialiter constitutis, salutem : Quia dedimus et concessimus hereditarie dilecto nostro David Home, filio et heredi apparenti dilecti nostri familiaris armigeri, Georgei Home de Wedderburne, totam et integram dimedietatem omnium terrarum de Polword, cum capitali messuagio earundem et advocationem ecclesie eiusdem vicibus alternatis, prout in carta nostra dicto David desuper confecta plenius continetur, quamquidem dimedietatem terrarum de Polword, cum capitali messuagio et advocatione predictis, jacentem infra vicecomitatum Berwici et comitatum Marchie, egregia mulier, Mariota Sinclare, sponsa prefati Georgei Home, in ejus absentia non vi aut metu ducta nec errore lapsa sed sua pura voluntate, apud castrum nostrum de Dunbare in manibus nostris sursum reddidit, pureque simpliciter per fustem et baculum resignavit ; vobis igitur et vestrum cuilibet conjunctim et divisim senescallis nostris antedictis firmiter precipimus et mandamus ac damus in mandatis, quatenus prefato David vel suo certo actornato, latori presencium, de predicta dimedietate terrarum de Polword cum capitali messuagio et advocatione predictis statum, possessionem corporalem et saisinam hereditariam juste haberi faciatis et deliberetis, seu alter vestrum haberi faciat et deliberet, visis presentibus, indilate secundum tenorem carte nostre quam dictus David inde habet ; ad quod faciendum vobis Alexandro, David, Johanni, et Patricio, senescallis nostris irrevocabilibus

antedictis et vestrum cuilibet, conjunctim et divisim, nostram plenariam liberam, legitimam et irrevocabilem presencium per tenorem committimus potestatem. Datum sub sigillo nostro apud castrum nostrum de Dumbar, vicesimo quinto die mensis Aprilis, anno Domini millesimo iiii^o lxxix^o. The seal of the Duke, somewhat broken, is still affixed.

22. Instrument of Resignation dated 19th May 1490, bearing that on that day Sir Alexander Houme of that Ilk, Lord Chamberlain of Scotland, as procurator of Andrew Anstrothir of that Ilk, appeared in presence of King James the Fourth of Scotland, and made resignation in the King's hands of the said Andrew's lands of Moricetone, with pertinents, lying in the bailiary of Lawdirdale and sherifffdom of Berwick, and that for new infeftment therein to be given to George Home of Wedderburn, who, being present, received the same in due form. Done in the king's chamber within the monastery of Holyrood of Edinburgh, about six p.m.; witnesses, Colin, Earl of Argyle, Chancellor of Scotland; William, Lord St. John, Master of the Household; Mr. Richard Murhede, Dean of Glasgow; Patrick Hume of Pollwart, Patrick Nesbit of Wyneschelis; Andrew Wood, usher; and others. Umphray Clerk, priest of St. Andrews, is notary. In another notarial instrument, dated 18th May 1490, and executed in the chamber of Simon Campion, notary, it is stated that George Home of Wedderburn paid to the said Andrew Anstruther of that Ilk 200 merks, and that thereupon Anstruther made over the lands of Moricetone to him; witnesses, David Monipenni of Kynkell, and others. To this instrument the seal of Andrew Anstruther is appended.

23. Charter under the great seal to George Home of Wedderburn of the said lands of Moricetone, following upon the above resignation, dated at Edinburgh 20th May 1493. [Printed in the Register of the Great Seal *sub dato*]. Sasine was taken thereupon on the 24th May following by George Home in person, Philip of Nesbit of that Ilk acting as sheriff on the occasion.

24. Instrument of Sasine in favour of George Home of Wedderburn in his lands in Coldingham and also in certain lands in Eyemouth, proceeding upon a precept by John, Prior of Coldingham, taken on 9th November 1495; witnesses, George Sinclair, David Galbrath, John Aldyncraw, David Wod, George Pollwart, John Kyng, and Alexander Makson; Patrick of Cunynghame, M.A., clerk of Glasgow diocese, being notary.

25. Retour of the special service of George Hume of Wedderburn as heir of his father, the deceased David Hume of Wedderburn, in ten husband lands and one cottage land with pertinents in the town of Aytoune, two husband lands with pertinents in the town of Coldingham, one husband land and one onset in the town of Aymouth, and three husband lands in the town of Ranetoune, within the barony of Coldingham and shire of Berwick. He is of lawful age. The service was exped

at West Reston before John, Prior of Coldingham, on 8th October 1495, before the following jury of inquest:—John Hume of Dunse, Thomas Hume of Langschew, Alexander Chernsid of Est Nesbit, Patrick Sleich of Cumleith, Thomas Atkinsoun of Sleishishouse, John Lummisden in Coldinghame, Nicholas Paxtoun, Philip Neisbit of Paxtoun, George Edwardsoun, Robert Andirsoun, David Ellem in Rantoun, John Liddale dwelling near Dunse, John Aldincraw, David Hume in Swynwod and Robert Blakberd. The values of the above mentioned lands are stated as follows:—those in Aytoun 10 merks annually, those in Coldingham 2 merks, those in Aymouth 1 merk, and those in Rantoun 3 merks; and they are held of the Prior of Coldingham and his successors in chief for service of ward and relief, and rendering of the customary services and suits of court, and also paying annually 8s. for the said lands in Aytoun, 2s. for those in Coldingham and Aymouth, and 30*d.* for those in Ranetone. The lands have been in the Prior's hands since the death of Elizabeth Carmichael, widow of the said David and mother of the said George Hume, about six months ago, she having possessed them as her jointure lands. Some of the seals of the jury are still affixed, though in a somewhat fragmentary state: (1) Displaying a shield with a chevron and three fleurs de lis, two and one, is marked on the tag as the seal of the lord of Cumlethe, procured by John Ledale, before these witnesses, John Angus and David Angus; (2) a shield bearing a chevron, on which there is a mullet at the top, and three crescents, two and one, with the circumscription S. David Angus; on the tag it is said to be the seal of David Angus of Hoprig procured by John Paxtoun, before these witnesses, John Forton and John Anguse; and (3) displaying a shield bearing on a chevron a buckle between two cinquefoils, but the seal is badly crushed. Part of the legend remains, viz., the words "Thome Atk" . . . which shows it is the seal of Thomas Atkinson of Sleighhouses.

26. Instrument of Sasine dated 4th November, 1496, in favour of George Hwme of Wadirburn and Mariota Sinclair, his spouse (George Sinclair acting as her attorney) in the half lands of Hetschaw in the bailiary of Lauderdale and sheriffdom of Berwick, proceeding upon a Precept from Chancery directed by King James the Fourth to George Dowglass, son and heir apparent of Archibald, Earl of Angus, then Chancellor of Scotland, Patrick Sleich of Cumlych, John Lumsden of that Ilk, and Philip Nesbit of that Ilk, as sheriffs of Berwick in that part, for giving of sasine as aforesaid, in which it is stated that the King had granted these lands to the said George Home and Mariota Sinclair in conjunct fee, and that they formerly pertained heritably to John Edmonstone of that Ilk but were resigned by him. The precept is dated at Edinburgh, 8th July, in the ninth year of the King's reign. Sasine was given by the said Patrick Sleich; witnesses, Robert Lawder of that Ilk, Duncan Nesbyt, Sir William Bowe, chaplain, John Runsyman, John

Wode, William Merkyll, "Wlfranno" Sleich; Thomas Watsone, Edward Edyngtone and George Lummysden; John Brown, priest of St. Andrews diocese, being notary.

(3). SIR DAVID HOME of WEDDERBURN, knight, 1497-1513.

27. Retour of the special service of Sir David Home of Wedderburn, knight, as heir to his father, George Home, in ten husband lands and a cottage land with pertinents in the town of Aytone, with one onset in the said town, also in two husband lands with pertinents in the town of Coldingham, one husband land and one onset in the town of Aymouth, and three husband lands in the town of Raynton, within the barony of Coldingham and sheriffdom of Berwick. He is of lawful age, and the lands named are of the following values respectively, viz.: those in Aytoun, ten merks Scots *per annum* and as much in time of peace; those in Coldingham two merks; those in Aymouth one merk; and those in Raynton three merks *per annum*, and as much in time of peace: all being held of the Prior of Coldingham for service of ward and relief, and other usual services and suits of court, and payment of 8s. Scots yearly for the lands in Aytoun, 2s. for those in Coldingham and Aymouth, and 30d. for those in Renton. They have been in the Prior's hands for about thirty eight weeks, since the death of the said George Home. The retour was exped at West Restoun before John, Prior of Coldingham, on 18th January 1497-8, by the following jury of inquest:—Alexander Ellem of Butterdane, Patrick Sleich of Cumliche, Thomas Achesoun of Sleichishouses, David Chyrnside of Est Nesbyt, John Lummysdane of Blennerne, Henry Ogill, son and heir apparent of James Ogill of Popil, Gavin Home in Coldinghame, John Lummysdane in Coldinghame, Alexander Hog in Lyntone, David Ellem in Rayntone, Philip Aldincraw in Est Restone, Nicholas Paxtoun, Joan Aldincraw in (*sic*) that Ilk, Gilbert Loury in Coldinghame and George Nesbyt in Mungois Wallis.

28. Discharge by John Wallas of Cragy to David Home of Wethirburne, knight, son and heir of the deceased George Home of Wethirburne, acknowledging that full satisfaction has been given to him on account of the said deceased George, David, his son, and all others that were with them at "the birnyng, douncasting and distroying of the place, toune, landis and myllis of Thuriston, belonging to the discharger, which was done by them; dated at Laudir 18th October, 1498; witnesses Patric Home of Polworth, knight, Matho Wallas of Crago, George Sinclair, Hew Wallas, brother german of the granter, David Galbraith and Sir Walter Newtoun, chaplain.

Signed, JOHNE WALLACE of C'GY.

29. Retour of the special service of Sir David Hwme, knight, as heir to his father, the deceased George Hwme of Wathirburn, in the lands of Morystoun with their pertinents, and fifteen acres of the lands of Peylryg, extending in value to half an husband

land, with pertinents; also in a land in Gowancruk with a husband land and a cot land in Aytoun. The said George Hwme died five and a half years previously. The retour was exped on 3rd November 1502. at the burgh of Lauder in the tolbooth there before William Synclar, sheriff depute of Patrick, Earl of Bothwell, sheriff principal, and the following jury:—Philip Nesbyt of that Ilk, Robert Edgar of Wathvile, Adam Franch of Thornydkis, James Spottiswod, son and heir of James Spottiswod of that Ilk, Walter Halyburtoun of Mertoun, Robert Lauder of Burnguyse, George Lauder in Lauder, William Hayg of Bemysyde, Patrick Slech, William Furde of Burncastel, John Lummysden of Blynern, John Murray of Caldsyde, John Henrisoun of Pilmure, Thomas Wadel of Blakechester, Thomas Richartsoun in Thirlstane Manes, James Hayg in Bemysyde and Thomas Bel in Thirlstane.

30. Lease by Alexander, Lord Home, to Sir David Home of Vethirburne, knight, of his lands of Ramrig and Grenesyde with their pertinents in the barony of Upsetlington and sheriffdom of Berwick for twelve years after their redemption. These lands had been wadset by the deceased James Hering to the deceased George Home of Vethirburne, father of the said Sir David, and this lease is made so that he may have present entry to one acre of the said lands which had been reserved in the charter granted by Hering; paying yearly 24 marks for the same, save in time for war when it shall happen that on that account the lands of Wester Upsetlintone, Swintone or Hornedane or the most part of them pays no rent. Dated at Edinburgh 13th November 1505; witnesses, Mr. James Haliburtoun, Mr. John Home, Thomas Pringle of Wranghame, Robert Wode, Adam Folcart and Jasper Mayne, notary. A portion of the seal of Lord Home is still appended.

31. Copy of a Letter of Reversion by David Home of Wedderburn, knight, son and heir of the deceased George Home of Wedderburn, in which it is narrated that the above-mentioned James Hering of Cluny disposed the said lands of Ramrig and Greinsyd excepting one acre, to the said George Home for three hundred marks, and that thereafter he disposed the whole barony of Upsetlington to Alexander, Lord Home; and now Sir David Home binds himself to renounce these lands in favour of Lord Home, the redemption money being paid upon St. Andrew's altar within St. Giles Church in Edinburgh. Dated and attested as the immediately foregoing lease.

32. Instrument of Sasine dated 9th November 1506, in favour of David Hwme of Watherburne, knight (who takes infetment by his attorney, Alexander Hoppringill), in the half of the lands of Hetschaw, lying in the fee of Carfra and bailiary of Lauderdale, proceeding on a precept from Chancery dated at Jedburgh 3rd November, nineteenth year of the King's reign, (1506), and directed to George Lauder of Quhitslaid, knight, sheriff depute of Lauderdale, in which it is stated that George Home of Waddirburn, father of Sir David aforesaid, died about

two years previously last infeft in these lands, that he is the nearest and lawful heir and of lawful age, that the lands are held in chief of the Crown and that ten merks are due for relief duty. Sasine is taken at the chief messuage of the lands; witnesses, Robert Wod, Henry Steill, Thomas Fyrth, and John Waldoson; John Brown, priest of St. Andrew's diocese, being notary.

33. Extract Decreet, under the hand of Gawinus Dunbar, of the Lords of Council, viz. :—David, Bishop of Argyll; George, Abbot of Halirudehous; Patrick, Lord Lindesay; John, Lord Cathcart; George, Master of Angus; Mr. Gawane Dunbar, Archdean of St. Andrews and Clerk of Register; Mr. William Wawane, Official of Lothian, and Mr. James Hemmersoun, Justice Clerk, dated at Edinburgh 14th March 1507, ordaining John Jardane of Apilgirtht to warrand to David Hume of Wedderburn, knight, son and heir of the deceased George Hume of Wedderburn, the lands of Jardinfeld, with pertinents, in the sherifffdom of Berwick, at the hands of the King and others, in terms of the charters and other evidents of the lands produced before them, “or ellis alse mekle als gude land liand in als competent place.”

34. Crown Precept from Chancery directed to David Carbrayth, John Nesbet and Alexander Pringall, to give sasine to David Hume of Wedderburn, knight, in the lands of Jardinfeld with their pertinents in the sherifffdom of Berwick, which belonged to John Jardin of Apilgarth in tenandry, held of the Crown, and which had been recognised on account of his alienation of the greater part of them without consent; dated at Edinburgh, 23rd December 1510.

35. Extract from the King's Rental to the effect that the lands of Mydlested of Windidurris *alias* Blackhauch in the Forest of Etrick, have been leased in feufarm to David Hume, son of David Hume of Wedderburn, who pays for them £32 yearly, with £32 of entry duty; dated 8th April 1510.

(4). DAVID HOME OF WEDDERBURN; 1513–1524.

36. Instrument of Sasine dated 31st January 1513-4, in favour of David Hwme of Wathirburne, son and heir of the deceased David Hwme of Wathirburne, knight, in the lands of Haitschaw [*vide* No. 32 *supra*], sasine being given by David Galbraitht, bailie of James Logane, sheriff of Berwick.

37. Instrument of Sasine, dated 21st August 1514, in favour of David Hume of Wedderburne in the half lands of Kymmerghame with their pertinents. Sasine is given by George Dowglass “*filius carnalis ac ballivus honorabilis mulieris, Elezabetht Drummond, sponse quondam honorabilis viri, Georgii Dowglass, Magistri Angusie,*” whose letter of bailiary, dated at Temptalloun, 15th June 1514, is inserted at length in the Sasine. In it

Elizabeth Drummond appoints him her bailie of the barony of Bonkyll, which she possesses as jointure lands, and also of her terce of the lands of Cummyrnald and others, during her lifetime, with power to hold courts and do all things pertaining to the office of bailie; and among the witnesses are Sir Alane Rychartsone, chaplain, Patrick Halyburstone, Robert and John Maldsone, John of Lermond, Mathow Hamiltone and David Drummond. Sasine was given at the principal messuage of the lands; witnesses, Ninian Chyrnsid of East Nesbyt, Patrick Lummisdan of Blanherne, Andrew Chyrnside and others; James Hume, priest of St. Andrews, being notary.

38. Instrument of Sasine, dated 4th July, 1515, in favour of David Home, son of the deceased David Home of Wadderburn, knight, in the lands of Over and Nether Wolle and Wolfhopple with their pertinents, lying in the regality of Jedburgh Forest and sheriffdom of Roxburgh, and also in the lands of Handaxwood in the sheriffdom of Berwick, in terms of a precept of *Clare Constat* by Archibald, Earl of Angus, dated 12th June 1515.

39. Instrument of Sasine, in favour of David Home, of Vodderburne, in the lands in Coldingham, which belonged to the deceased Sir David Home of Wodderburn, and also in his lands in the town of Rantoune and those in the town of Aytoun; taken on 20th May 1516, at such intervals of time as they were able to ride between the places. Sasine was given by Thomas Pete, sergeant depute of the barony of Coldingham, upon a precept by David, Prior of Coldingham, and received by the said David Home in person; witnesses, John and William Home, sons of the deceased Thomas Home of Aytoune, knight; Patrick and Alexander Home, brothers german of the foresaid David Home of Wedderburn, John Lumsdene in Coldingham, John King, Patrick Herwat, Robert Hammylstone, Patrick Aldineraw, Nicholas Redpetht and Patrick Wilson; James Hume, priest of St. Andrews, being notary.

40. Charter under the great Seal of King James the Fifth, with consent of John, Duke of Albany, his tutor, and Governor of the realm of Scotland, to David Hume of Weddirburn, for his good, faithful and thankful service done and to be done to them, of half of the lands of Manderstoun in the sheriffdom of Berwick; the whole of which lands formerly belonged heritably to the deceased Alexander, Lord Home, but have fallen to the Crown through the forfeiture of Lord Home, who has been executed for certain treasonable deeds: To be held by the said David and his heirs and assignees of the King and his successors in fee and heritage for payment annually of the duties and services in use and wont to be paid by the said lands, with this further proviso that the said David and heirs readily obey and render good, faithful and thankful service to the Warden of the East Marches of Scotland. Dated at Edinburgh 2nd May 1517; witnesses, James, Archbishop of Glasgow, Chancellor; David, Bishop of Whithorn, and of the Chapel Royal of Stirling;

James, Bishop of Moray; Alexander, Earl of Huntly, Lord Badenoch; Colin, Earl of Argyle, Lord Campbell and Lorn; Hugh, Earl of Eglinton, Lord Montgomery; John, Prior of St. Andrews; George, Abbot of Holyrood, Keeper of the Privy Seal; Patrick, Abbot of Cambuskenneth, Secretary; Mr. Gavin Dunbar, Archdeacon of St. Andrews, Clerk of Register; and Mr. James Ogilvie, Rector of Kinkell, and Commendator of Dryburgh.

41. Precept by King James the Fifth directed to the heirs of the deceased William Ayr, as superiors, to give sasine to David Hume, formerly of Wedderburne, in the hands of Pincarton with certain other lands of Hyrsell within the lordship of Dunbar, which had belonged to the said David in property, but which had fallen into his (the King's) hands as escheat upon the said David's forfeiture. He has now been restored to all his possessions by Parliament. The King therefore, with advice, consent and authority of John, Duke of Albany, his tutor, and Protector and Governor of the realm, presents the said David to them as a heritable tenant in the said lands, and requires them to receive him as such. Dated at Edinburgh, 12th August 1522.

42. Precept by King James the Fifth under the quarter seal, to the sub-prior and convent of the Priory of Coldingham to infeft David Hume, formerly of Wedderburne, in the ten husband lands and cottage of land in the town of Aytoun, the two husband lands in Coldingham, the one husband land in Aymouth and three husband lands in Rentoun, all within the barony of Coldingham, and Sherifffdom of Berwick, which had formerly belonged to him and were lost by his forfeiture. Dated at Edinburgh, 20th August 1522.

43. Instrument of Sasine dated 24th August, 1522 of David Hume of Wedderburn (by Robert Thomson, his attorney,) in the half lands of Hetschaw, proceeding upon a precept from Chancery dated at Edinburgh, 12th August 1522, in which it is narrated that the King, with consent of his tutor, John, Duke of Albany, had granted to David Hume, formerly of Wedderburn, the lands of Wedderburn, with the castle, mill, and other pertinents thereof, the half lands of Hetschaw and fifteen acres of the lands of Pilrig, the lands of Gowane Cruke, the one and a half husband lands called Bajdis lands in the lordship of Hutton, and the lands of Jardinefield with pertinents, in the sherifffdom of Berwick, which he had forfeited by some acts of treason. It further states that the lands of Jardinefield, had, after his forfeiture, been granted to Sir Alexander Jardine of Applegirth, but he has made resignation of them in favour of the said David Hume. There are also recited the letters of attorney in favour of Alexander Hume, Robert Thomson, and Richard Galbraith, appointing them or any of them to act for the said David Hume, dated 18th August the same year.

44. Precept by Sir Robert Mathieson, sub-prior of Coldingham, to Patrick Hume and Symon Galbraith, as his bailies, to give

sasine to David Hume of Wedderburn in terms of the King's precept (No. 42 *supra*). Dated at the Monastery of Coldingham 28th August 1522. Signed, ROBERTUS MATHESON, ALEX. LYNDISAY, JACOBUS SPENS, ANDREAS BROUN, ADAM RUNSYMÄ, WLLS. LERMOCHT, PATRICIUS LITIL, DAVID LAUTA. The seal of the Convent is still appended.

45. Instrument of Sasine in terms of the above precepts by the Sub-prior of Coldingham (here dated 20th August) and the sasine is dated 22nd August 1522; witnesses, John and William King, William Gray, John Barbour, and Laurence Ball; Patrick Morisone, M.A., priest of Aberdeen diocese, being notary.

46. Instrument of Sasine dated 28th November, 1522, in favour of David Home of Wedderburne after his rehabilitation, in the half lands of Kymmergehame, proceeding upon a Precept by Archibald, Earl of Angus, dated at Bonkill, 7th November 1522. Sasine is given by John Sinclair as bailie; witnesses, John Carmichael, John Brak, Richard Couper and James Alexandersoun.

47. Instrument of Sasine, dated 30th December 1522, in favour of David Home of Wedderburn, in the lands of Over and Nether Woulee and Welsuplee in the lordship of Jedworth Forest and regality of Boncle, proceeding on a Precept by Archibald, Earl of Angus, in which he states that besides the lands named, the half lands of Kymmerghame, with the half mill thereof, in the sheriffdom of Berwick, and the lands of Handaxwood in the lordship of the Forest of Dy, had come into his hands by reason of the forfeiture of David Home. But he is now to be reponed in these. The sasine is witnessed by Hector and Archibald Turnbull and Thomas Thomson; Patrick Morrison, M.A., priest of Aberdeen diocese, being notary.

48. Copy from the Acta Dominorum Concilii of a letter from John, Duke of Albany, Regent of Scotland, to David Home of Wedderburn, and his reply, 18th January, 1523.

Domino Gubernatore presente. The copy of the letres send be my Lord Governour to the Lard of Wedderburn. Cousing and Lard of Wedderburne, ye remember the gret grace I did to you and how glaid I was quhen I saw you begin to doo gud service and did my best to treit you wele and thankfully to gif you occasioun of gud continuance and persevering. Nochttheless now laitly I have writtin to you v or vj tymes to cum heir for sic thingis as was ado for the comone wele, howbeit ye come nocht; quharthrow apperis ye haif sum suspicioun that and ye come I wald haif treitit you utherwayis nor I had promisit. I will ye understand I use nocht to cum in contrar my wordis nor wrytingis. Herefore sen ye haif falzeit to cum to me at my desyre for the commone wele as said is, I avise and consell that during my absence and quhill my cuming again ye gyde yourself weile and be obedient to your Wardane and doo all sic thingis as ye sall be ordanit to doo be the Lordis of the Kingis

Consell, for sua doing it salbe your proffit and plesour to me; quhare be the contrare I assure you that ye failyeing sua to doo, as said is, it sall turn to your gretast displesour that ever come to you; and keip thir letres to remember you herapoun and to do weile as ye suld with help of God, quha haif you in keping. At Edinburgh the xvij day of Januar. (Signed.) *Jehan*.

The copy of the letres send be the Larde of Wedderburne to my Lord Governour: My lord, I commend my service in maist lawly maner onto your Grace. Plesit your grace to wit that I haif ressavit your writing sayand that ye had writtin to me fif or sex tymes to cum to your Grace. You send never to me to cum bot I come, other nycht or day, quhen I gat your wryting quhat tyme at evir it was, except this tyme that my Lord of Levinax was in Driburcht and your Grace tuk me suorne in Edinburgh to be lele and trew to him, and till doo him gud service pertening to the Kingis authoritie, and at his Lordships command. He causit me to remane in the cuntre with his awin servand, George of Colquhoun, provest of Glasgow, for to tak certane evill doaris that war complenit apoun be the contre, quhilk I traist he will informe your Grace, my said Lord of Levinax, quhat diligens I haif done heirintill. Bot I knaw wéle your Grace is wrang informit be my inemyis anentt me, because I am far fra you in the Kingis service and your Gracis. I am and sall be redy to do yow als gud service other in Scotland, Ingland or France quhar ye will command me as ony of Scotland of my degre, and has bene else trew to yow sen yow gaif me my pardoun, and sal be als trew to yow in tyme to cum. Bot thair is that settis nocht by how littill service thai do your Grace, sua that thai get gud informacioun to yow and be at eisment with yow, that will nocht nor sall nocht do yow sic gud service as I sall. God haif yow in his keping. At Wedderburne the xxj day of Januar, your servand at my power. (Signed.) DAVID HUM of WEDDBURN.

(5). GEORGE HOME of WEDDERBURN; 1524-1547.

49. Notarial Instrument, dated 18th February, 1524, narrating that in a sheriff court of Berwick and Roxburgh, held in the tolbooth of Edinburgh by Mr. Henry Laüder and William Johnstoun, sheriffs of Berwick and Roxburgh in that part by commission under the quarter seal, there compeared Robert Galbraith of Easter Winschelis, as procurator for George Hume, son and heir of the deceased David Hume of Wedderburn, and required them, in terms of the said commission, to appoint the necessary officers and ministers of court for serving the said George as heir of the said David his father; and that thereupon they appointed William Blakstok and William Stevinsoun, notaries, to be clerks, Edward Story, John Sandersoun and Symon Fortoun to be sergeants or officers, and John Anderson and Mathew Ireland to be doomsters of the said court, jointly and severally, and took their oaths for the faithful discharge of their respective duties. Attested by Archibald Rantoun, clerk of the diocese of St. Andrews, notary.

50. Another notarial instrument of the same date, narrating that the said procurator presented to the said sheriffs in that part (Selkirk being also inserted in this deed) a commission under the quarter seal for the purpose aforesaid, whereupon the said sheriffs made choice of Mr. Archibald Rantoun and Sir Patrick Mure, notaries, as clerks, William Farnelie as sergeant, and John Galbraith as doomster of this court, and administered to them the necessary oath. Attested by William Stevensoun, clerk of St. Andrews diocese, notary.

51. Precept of *Clare Constat* by the sub-prior and convent of Coldingham, directed to Alexander Hume and Edward Store, to give sasine to George Hume, who has been retoured heir to his father, the deceased David Hume of Wedderburn in ten husband lands and cottage of land in the town of Aytoun, two husband lands in Coldingham, one husband land in Aymouth, and three husband lands in Rantoun, with the fishings and other pertinents thereto belonging. Dated at the monastery of Coldingham . . . 1525, and signed, DEN ALEX^R. LYNDSEY, Sup^ror; ANDREAS BROUN, ADAM RUNSIMA, VLM^s. LERMOCHT, ADAME LAWTE.

52. Instrument of Sasine, dated 6th April 1525, in favour of George Home, son and heir of the deceased David Home of Wedderburn, in the half of the lands of Haitschaw, fifteen acres of the land of Pilrig extending to half of a husband land, one husband land in the barony of Gowanecruke, one and half husband lands called Bardislands in the lordship of Hutton, the lands of Jardanefield, and the lands of Pincarton and Hirsale which belonged to William Air, in the lordship of Dunbar, proceeding upon a precept by Henry Lauder as sheriff depute specially appointed by a commission under the quarter seal, dated at Edinburgh 4th April 1525, which also includes the lands, fortalice and mill of Wedderburn; also in the five husband lands in the territory of Quhitsumlawis in the sheriffdom of Berwick held of Ninian Chernsyde of East Nesbit, proceeding upon a precept of *clare constat* by him dated at Edinburgh 22nd March 1524. Sasine was given to James Small as attorney of George Home, constituted as such along with John Sanderson by letters of Attorney dated at Edinburgh 3rd April of the twelfth year of the King's reign. The witnesses of the sasine are Mr. Alexander Richertsoun and Sir John Symson, chaplains, John Cockburn, James Leith, David Galbraith, John Sinclair, Fergus Niksoun, Robert Turnbull, James Turnbull, John Haisty, Henry Hoggart, Robert Wilsoun, Robert Bairnsfather, Patrick Broun, Robert Mak, Patrick King, John Balcasky, Henry Scoular, Thomas Purves, Gavin Spottiswod, George Greif, George Wait, James Robinsoun, George Bowok, William Gibsoun, David Kyndilduris, George Grenlaw, John Reid, Thomas Reid, John Blakader, Alexander Weddell, William Weddell, and Andrew Richertsoun. Patrick Morisone, M.A., priest of the diocese of Aberdene, is notary.

53. Notarial Instrument narrating that on 19th June 1525, "famosa oratrix Isabelle Hepburne, priorissa de Hadingtoun et conventus ejusdem ordinis Cisterciensis fratrum Sancti Andree dioceseos," compeared before the subscribing notary and witnesses and declared that she willingly and for ever discharged all debates and contraversies standing between her and Patrick Hume, brother german of the deceased David Hume of Wedderburn, and particularly that quarrel unjustly entertained while the said David was at the King's horn. This was done beside the fortalice of Edmondstoun about 2 p.m., and the said Patrick Hume asked instruments thereupon from the notary, Patrick Morison, M.A.; witnesses, John Edmonstoun of that ilk, David Edmonstoun, James Cuke, Donald Hannay and Laurence Beill.

54. Crown Charter under the great seal by King James the Fifth to George Home of Wedderburn, son and heir of the deceased David Hume of Wedderburn, wherein he acknowledges the good service rendered by him and his predecessors to the late King James the Fourth, and grants to him the half lands of Kymmerghame and half mill thereof, with pertinents, and the lands of Handaxwood in the forest of Dye in the sherifffdom of Berwick; and also the lands of Wolle and Wolfle with pertinents in the lordship of Jedburgh and sherifffdom of Roxburgh; which were formerly held of Archibald, Earl of Angus, but now of the Crown by reason of that Earl's forfeiture; paying therefor a silver penny in name of blench farm if asked. Dated at Edinburgh, 5th September 1528.

55. Tack by Mr. Patrick Moriesone, curate of Duns, in which he narrates that he has the two husband lands of the Preistsyd in Duns within the lordship of Elpholl (?) and shire of Berwick, with twelve "gerse soumes" that is for eight oxen and two horse, with pertinents, which are annexed to the vicar pensioner of Duns, and the two lands of Cramecrouks with pertinents, which he holds in liferent from Sir John Clark, now vicar pensioner, for all the days of his life, and pays to him eight merks Scots yearly for the same. These lands he now leases to Alexander Howme of Manderstoun, Tutor of Wodderburn, for payment of the same rents as the previous occupiers paid, and with power to him to sublease the same. It is provided that "gif ony deis in Crammecruk in the instant tyme at ar tennandis, the corse present and heriald to be partit betuix me, Maister Patrik, and the said Alexander ewinly." Dated at Duns, 20th January 1528-9. The granter obtains the seal of Sir Mungo Howm, curate of Langtoun, to the deed, as his own is not present (it is a seal impressed upon paper and illegible), and the witnesses are, John Fendoun, chaplain, William Strauchquhen and William Crawford.

56. Assignation by Cuthbert, Earl of Glencairn, with consent of William Cunningham, knight, Master of Glencairn, his son and heir apparent, and of Alexander Cunningham, his son and heir apparent, and grandson of the Earl, to Alison Douglas, widow of David Hume of Wedderburne, and failing of her, to

George Hume of Wedderburn, her son, and his heirs, of a letter of reversion by Andrew Blacater of that Ilk, dated at Fynlastoun 23rd May 1540; witnesses, Mr. James Cunningham, parson of Inhecallocht; Sir Allan Knok, prebendar in Kilmawaris; Sir John Cowper, Sir Thomas Jacksoun and Sir Thomas Liddall, chaplains; John Hoppringill, Alexander Gardynayr, Allan Cochrane, Robert Symson, and Thomas Craig. It is signed by the Earl and Master of Glencairn and their seals and that of the Master's son are all appended. There is also a Precept of Sasine following on the above assignation, dated, signed and sealed as above; and Letters of Gift by them to the said Alison Douglas and her heirs of the rents and duties of the lands of Hilton, extending to twenty-six husband lands and now occupied by herself and her tenants, for all the years they have been in the said Earl's hands by reason of nonentry; witnesses, William Cunningham of Cunynghamehead, Robert Cunningham, son of the Master of Glencairn, Sir John Cowper, chaplain, Mr. James Cunyngame, George Wallace, Barthilmo Wallace, Allan Cunningham, and Sir Lowk Kincaid, notary.

57. Discharge by Sir James Young, Chamberlain of Coldingham to "Elizona Dowglass, Lade of Wedderburn," for her teind sheaves of Kymmergham toun, Kello and Redelocht for the years 1538, 1539 and 1540; dated at Eymouth, 11th December 1541; witnesses, John Hwm of Fayrnesyd, William Broun *alias* Lard, and Sir James Lyndsey, chaplain.

58. Precept subscribed by King James the Fifth directing the Comptroller to grant a new tack of the lands of Blackhaugh, with pertinents, in the lordship of Ettrik Forest to George Hume now of Wedderburn. They were held in feu by David Hume of Wedderburn, his father, from the King's father. The Comptroller is to receive from George Hume for making the tack £40, and the King adds "Speid to him ane signatour thair of in the best forme that can be devisit." Dated at St. Andrews, 3rd May, in the twenty-nine year of the King's reign (1542).

59. Letters of Procuratory by Alison Douglas, relict of David Home of Wedderburn, as assignee of Cuthbert, Earl of Glencairn, to David . . . [torn] for payment of the redemption money contained in the foresaid Reversion, and intimating the same to Beatrix Blacader (who has married John Hume) and to Margaret Blacader, (who has married Robert Hume) heirs portioners of the deceased Andrew Blacader, and to their said husbands, who are to come and receive the money and the lease specified therein; dated at Edinburgh 5th June 1542. Lady Wedderburn signs by the aid of a notary.

60. Precept of Sasine by Archibald, Earl of Angus, Lord Douglas, and lord of the barony and regality of Boncle, etc., directed to Laurence Roger and James Leiche, to give sasine to his beloved sister german, Alison Douglas, Lady of Wedderburne, in liferent, in his lands of Kettilscheill and Dronescheill, with their pertinents, in the Forest of Dye and sheriffdom of Berwick,

as also in his mill of Lintlaw, with multures, sequels and pertinents thereof, in the barony of Bonkle and sheriffdom foresaid, which he has granted to her; dated at Edinburgh, 7th May 1543; signed AR^d ERL of ANGUS. The granter's seal is also appended.

61. Gift by Queen Mary with consent of James, Earl of Arran, Governor of Scotland, to George Hume of Wedderburn and his heirs, of the nonentry duties of the lands of Moreistoun and pertinents thereof, lying in the Merse, sheriffdom of Berwick and barony of Renfrew, of all the years that they have been in her hands and in the hands of the Kings of Scotland as princes and stewards of Scotland since the death of David Hume of Wedderburn, his "grandschir" (great grandfather), or any other, his predecessors, as also in all time coming until the entry of the rightful heir; dated at Edinburgh, 2nd February 1545-6.

62. Copy of an Instrument of Sasine dated 5th March, 1545-6, in favour of George Home of Wedderburn, in the half of the lands of Polwart called Easter Polwart, proceeding upon a Precept by Mary, Queen of Scots, dated at Edinburgh 25th February, in the fourth year of her reign (1545) which states that David Hume of Wedderburn, grandfather of the said George, died at the faith and peace of the Queen's grandfather, King James the Fourth, last seised in these lands, and tower and mill thereof and patronage of the parish church by alternate turns, and that the lands are held of the Queen as Duke (*sic*) of Albany. The witnesses to the sasine are William Gardinar, Thomas Jaffra, William Mylne, and Thomas Abbot in Polward, Patrick Carfray, officer of Berweik, and Sir John Lawder, chaplain, curate of Polwart, Alexander Symson, clerk of St. Andrew's diocese, is notary.

(6). SIR DAVID HOME of WEDDERBURN, knight, 1547-1574.

63. Precept of *Clare Constat* by Archibald, Earl of Angus, directed to Robert Mylar and Adam Trumell, to give sasine to David Hume, brother german and heir of George Hume of Wethirburn, who was killed at Pynkiecleuch, in the half of the lands of Kymmerngam, in the regality of Boncle, also in the lands of Handaxwood, which formerly belonged to the deceased Patrick Home of Polwart, knight, in the sheriffdom of Berwick, and in the lands of Wollee and Wolhoplee with pertinents in the regality of Jedburgh Forest and sheriffdom of Roxburgh; dated at Temptallon 30th October 1550. Signed AR^d ERL of ANGUS. His seal is appended. Sasine was taken hereon in all these lands on 28th November 1550, Patrick Loran, clerk of the diocese of Glasgow, being notary.

64. Instrument of Sasine dated 9th November 1550, in favour of David Home, brother german and heir of George Home of Vodderburne, who was killed at the battle of Pinkyncleuch, in the half lands of Hettshaw in Lauderdale, proceeding upon a precept from Chancery, dated 8th November in the eight year of

the reign of Queen Mary, which narrates that he has been served heir to his said brother in these and other lands, which are held of the Crown in chief. Archibald Renton, M.A., clerk of the diocese of St. Andrews is notary.

65. Another Instrument of Sasine dated 10th November 1550, under the hand of the same notary and following upon the same precept, in favour of the said David Hume of Wedderburn, in the lands of Wedderburn, Jardanefeild, fifteen acres of land on the south side of the town of Dounce, the half lands of Hetschaw in Lauderdale and the lands called Bayherlands in the lordship of Hutton. David Home takes sasine in person and one witness is John Home, his brother german.

66. Precept by Archibald, Earl of Angus, for infetting David Home of Wedderburn, brother german and heir of the deceased George Home of Wedderburn, and Mariota (or Manye) Johnnestoun, his spouse, in liferent, and their heirs in fee, in the sixteen husband lands of Cummergem with pertinents, occupied by Richard Reidpath, John Sinclair, Philip Nesbett, Robert Millair, David Edgar, Robert Donaldson, William Fokhard and William Wobster, which the said David had resigned. Dated at Edinburgh 5th January 1550-1; witnesses, Archibald Douglas of Glenbervie, James Johnstone, Gilbert Johnstone, Mr. James Watsoun, David Ecclis, and others. Signed, AR^d. ERL of ANGUSE. His seal is appended.

67. Retour of the special service of David Hume of Wethirburne as brother german and heir of George Hume of Wethirburne, who died in the field of Pinkineleuch three years and eleven months previously, in the lands of Myddilsteid and Wynddydurris or Blackhauch, with their pertinents in the lordship of Ettrick Forest and sherifffdom of Selkirk, which are held in chief of the Crown and are valued annually at £32 and at £6 in time of peace. The retour is exped before Mr. John Sinclair, sheriff depute of Edinburgh, and sheriff of Selkirk in that part, in the tolbooth of Edinburgh on 31st July 1551, by the following jury:—John Edmanstoun of that Ilk, William Douglas of Quhittinghame, George Touris of Innerleith, Gilbert Wauchop of Nuddry Merschell, Robert Fairlie of Braid, James Ker of Mersingtoun, Robert Ker of Woodheid, David Spotswod of that Ilk, William Cokburne of Schouslie, Alexander Hoppringle of Trindleyknowis, Robert Hoppringle of Murecleuch, Alexander Hume in North Berwick, and David Hoppringle of Charterhouse.

68. Retour of the special service of David Hume of Wethirburne, at the same place and time and before the same sheriff and jury as in No. 67 *supra*, as heir of David Hume of Wedderburn, knight, his grandfather, who died at the faith and peace of King James the Fourth, under his standard at the battle of Flowdown, in the lands of Moreistoun with their pertinents in the bailiary of Lauderdale. These lands are held in chief of the Crown and are valued at 10 merks yearly and 40s. in time of peace. They are held blench, the duty being a

red rose at the feast of St. John the Baptist, if asked. They have been in the hands of the Crown since the death of Elizabeth Hoppringle, widow of the said Sir David, as lady of the conjunct fee, who died five years ago. Special instruction was given to the sheriff to expedite this service although there is no sasine of these lands in favour of the said deceased Sir David Hume.

69. Precept by Mary, Queen of Scots, with consent of James, Duke of Chatelherault, Governor of Scotland, for infesting David Hume of Wodderburn and Mariote Johnstoun, his spouse, and their heirs in the lands of Moreistoun, with their pertinents in the sheriffdom of Berwick, which were resigned by them at Jedburgh; dated at Jedburgh, 7 November 1551. There is an Instrument of Sasine in their favour in these lands dated 24th October 1552 which is said to proceed on a precept from Chancery dated 17th October in the ninth year of the Queen's reign, and in which it is stated that the said David Hume is heir of his grandfather, Sir David Hume of Wedderburn, knight, in these lands, which have been in the hands of the Crown for five years.

70. Extract Registered (5th December 1552) Contract dated at Edinburgh 26th July 1552, between Johane Hepburn, relict of George Home of Wedderburn and now spouse of John Hamilton of Ryisholm, with consent of John, Archbishop of St. Andrews, and primate and legate of Scotland, as acting for the said John Hamilton in his absence in the north parts, on the one side, and David Hume of Wedderburn as principal, with George Hume of Spot as cautioner for him, on the other, whereby the said Jean Hepburn and her said husband discharge the said David of all the rents of the lands of Wedderburn and others which belonged to her said deceased husband, and to which she has right by terce or otherwise through his death, since the field of Pynkynleuch until the date of these presents; and the said David, her deceased husband's brother, has undertaken to relieve her of all the debts under which her said deceased husband lay. Among the witnesses are Patrick Home of Bromehouse, Patrick Home, Robert Hereot and Robert Scott, notary.

71. Tack by William, Bishop of Dumblane, as factor for William Cheisholme, parson of Quhitsum within the diocese of St. Andrews, to David Hume of Wedderburn, of the parsonage and vicarage teinds of Quhitsum, with the glebe, kirklands and pertinents thereof for five years after the feast of Ad Vincula St. Peter 1552, for payment of the yearly rent of £100 Scots. It is provided that should there be plain and open war between Scotland and England whereby the parish of Quhitsum is "heriit" so that the tacksman is unable to get his rents, the duty to be paid shall in that case be modified at the sight of the Official of Lothian, the Dean of Restalrig, the Laids of Touch and Donypace and Mr. David Boithuille, or the most part

of them. Andrew Johnstoun of Elphinstoun and George Touris of Innerleith are cautioners for David Hume, and all are enacted in the books of the Official of Lothian to fulfil this contract under the pain of cursing. Dated at Edinburgh . . . [torn] . . . 1552. Signed. WILLIAM, BISCHOP of DUBLANE.

72. Acquittance by Jane Hepburne, widow of George Hume, of Wedderburne, and John Hammiltoun of Rysum, now her spouse, for his interest, to David Hume, now of Wedderburne, her son, for 210 merks, as the balance of the sum of 280 merks due to her in terms of their agreement; dated at Edinburgh, 14th February 1552-3; witnesses, Andrew Jhonstone of Elphenstone, Edward Colveng, Patrick Nesbat, Andrew Howme, parson of Lawdar, and others. Signed. JAN HAPBWRNE, LADIE WADERBWRNE, JHON HAILTOUN of RYSHOWM.

73. Precept of *Clare Constat* by John, Prior of Coldingham, directed to John Kyng and David Turnbule, for infetting David Hume of Wedderburn as brother german and heir of George Hume of Wedderburn, who fell at Pinkie, in two and a half carucates of land and a kiln of the lands of Over Aytoun, two husband lands with their pertinents in Coldingham, three husband lands in Renton, and one husband land in the lordship and territory of Aymouth; dated at the Monastery of Coldingham 20th March 1552-3. Signed. JOANNES COMEDATARIUS de COLDINGAHIM. The Prior's seal is appended, displaying on a shield within a bordure a lion rampant. Sasine was taken thereon by John Cokburne as attorney of David Hume of Wedderburn on 13th April 1553; witnesses, James King, Patrick Gray, John Tailyour, Patrick Hoy, Patrick Broun, William Heriot, Sir James Lindesay and Sir Robert Flynt, chaplain; Robert Edington, priest of St. Andrews diocese, being notary.

74. Letter of Reversion by Robert Michelson in Blakhauch to David Hume of Wedderburn, who has wadset to him the lands of Middelsteid of Wyndodurris *alias* Blakhauch with pertinents in the lordship of Ettrik Forest and sheriffdom of Selkirk. They are to be held of the Crown (but are redeemable by the said David and his heirs on payment of 600 merks and the granting of a lease of the lands for fifteen years), for payment annually to the Crown of £32 and to the said David Hume and his heirs of 12 merks; dated at Edinburgh 3rd October 1554; witnesses, William Douglas of Quhittingham, Mr. Patrick Douglas, his brother, Robert Douglas, son of the said William, Adam Glendinning, Adam Story and John Johnstone, notary. The seal of Robert Michelson is appended—a shield bearing a saltire with a mullet in each of the three upper compartments and a crescent in base.

75. Letters of Regress granted by Mary Queen of Scots under the privy seal in favour of David Hume of Wedderburn, that although he has disposed the lands of Blakhauch to Robert Michelson there, he may have regress to them again on fulfilment of the terms stipulated in the letter of Reversion, No. 74 *supra*; dated at Edinburgh, 9th June, 1555.

76. Notarial Instrument narrating that on 12th November, 1560, there compeared in presence of William Lamb, notary, and the underwritten witnesses, John Hume, brother german of David Hume of Wedderburn, and undertook "to cause red that sex husband landis" with the pertinents, lying in the north-west quarter of Quhitsome, commonly called Hepburn's quarter, two of which are occupied by John Polwart, one and a half by Thomas Johnnestoune, one and a half by Patrick Robesone and one by John Bukless's son, and also the coitland occupied by Janet Myllar, all at Whitsunday next, so that Sybilla Wallace, widow of John Hepburn in Kirklandhill, and John Hepburn, her son, or her assignees, may enter to the same as her liferent heritage; and that he will also do his best to "red" the other eight lands which the said Sybilla has leased to him, provided she grant to him her letter of bailliary to that effect. Further, he binds himself and his heirs and assignees never to seek or purchase any right to the said six husband lands from the Earl of Bothwell so long as they are in the hands of the said Sybilla or her said son or any heirs to be gotten of his body, without the consent of the said John or his heirs, seeing the said Sybilla has leased to him these her other eight husband lands in the said quarter of Quhitsome, for which he has presently paid her £10, and is to pay her £30 at Whitsunday next, and £8 yearly during her lifetime; and for this John Brysone in Newbigging has become cautioner with him. The above is embodied in a document dated at Faslie, 12th November 1560, the witnesses being George Wallace in Chyrnesyd, Thomas Swyntoun in Dryburnfurd, Robert Polwart in Quhitsum, and William Lamb, the notary. The notarial instrument is attested by the same witnesses, John Hepburn, son of the said Sybilla being one instead of the notary.

77. Tack by Mr. James Seytoun, parson of Quhitsum, in which, narrating that David Hume of Wedderburn, and his predecessors, Lairds of Wedderburn, have possessed the parsonage and vicarage of Quhitsum in all time bygone, past memory of man, "and that the said David hes bene gude and thankfull to me in all thir troublous tymes, nochtwithstanding of all the gritt cummeres being throw this hail realme of Scotland, specialie amangis kirkmen," and further, having received certain sums of money and "being movit of gude mynd not to alter the auld possessoures fra thair possessiones," he grants to the said David a tack of the parsonage and vicarage teinds of Quhitsum for five years and subsequently in terms of five years during his (the granter's) lifetime, for payment of £100 Scots yearly, which in case of war is to be modified at the sight of mutual friends. Dated at Wedderburn, 3rd September 1562; witnesses, John Home, brother german of the said David, Alexander Hoppringle, Hugh Hutsoune, and George Leitch. (Signed) MR. JAMES SIETONE, PSONE OF QUHITSOME. There is a similar tack by him to the same David on 15th April 1751, and another to George Hume of Wedderburn in 1576.

78. Notarial Instrument narrating that on the 26th May, 1563, Robert Michelson in Blakhauch appeared before the subscribing notary and witnesses and acknowledged that he had received from David Hume of Wedderburn the sum of 600 merks, and a lease for fifteen years of the lands of Blakhauch, and accordingly surrendered his right to these lands, and returned the charter and infettment of them which he had received to be "cuttit as use is." This was done in the dwelling house of Adam Johnneston, burgess of Edinburgh; witnesses, Mr. Edward Henderson, advocate, John Home, brother of the said Laird of Wedderburn, George Turnbull of Chamberlain Newton, Thomas Symson in Dryburnefurd and others; James Millar, "borne within the dioey of Glasgow," being notary.

79. Precept by Mary, Queen of Scots, for infetting David Hume of Wedderburn in the lands of Middillsteid of Wyndydurris or Blakhauch in the lordship of Jedburgh Forest, which he has redeemed from Robert Michelson, dated at Edinburgh, 16th June 1563.

80. Notarial Instrument narrating that on 29th October, 1563, "in the hall of Thomptalloun at twelf houris or thairby in the midday," James Johnnestoun of Elphinstoun openly confessed that an annual rent of three chalders of victual, viz: one of wheat, one of barley and one of oat meal, dispoed to him and the deceased Margaret Ruthven, his spouse, and their heirs, by David Hume of Wedderburne, upliftable from the mains of Wedderburne, had been lawfully redeemed from him by the said David Hume in terms of the letters of reversion; and he grants the receipt of the said annual rent since the date of the said disposition thereof, which he now renounces; witnesses, John Hume of Blacater, Robert Johnnestoun, brother of the said James, John Hume, brother german of the said Laird of Wedderburn, Andrew Hume, son of the deceased Gavin Hume, Captain Robert Hume in Reidheuch, and Ferdinand Hume, son of Patrick Hume of Burnhouse; James Millar, born within the diocese of Glasgow, being notary.

81. Copy of Inventory of Reversions and other writs pertaining to James, Earl of Bothwell, given in keeping to which shows a number of loans raised by this Earl upon his lands, about the time he appears to have been laying his plans to get possession of Mary, Queen of Scots, as Markill, for £4,000 and 500 merks, 14th December 1561, to John Carkettill and Marion Hepburn, his wife; Trapren for £1,000, 31st October 1558, to the same John Carkettle, and his son, and for 2,400 merks, on 1st December 1561, to Alexander King; the corn mill of Furd for 1,000 merks on 3rd September 1562; Thornydykes for 4,400 merks, 17th October 1562, to James Barroun; Quhitsum for 800 merks, 20th January 1562, to Patrick Hepburn of Kirklandhill, and Helen Hamilton, his wife; Vogrie for £450, 5th September 1561, to David Hunter; another part of Trapren for 520 merks, 10th April 1560, to Adam Hepburn of Smeaton; and

Ardouch, Barneleyes, Over Knokgrass and Vairquharnie for 220 merks, to John Sinclair in Erlestoun; but it is doubtful if this last was carried out. There are also one or two bonds, and an acknowledgement by John Mossman that he has some other reversions in his custody. All which Jane Hepburn, Lady of Wedderburn, grants the receipt of, and promises to make them forthcoming to the said Earl or his heirs at a few hours notice. Dated at Powlwart 28th February 1563-4; witnesses, John Hamiltoun, her husband, Mr. David Chalmers, Alexander Vorosedell and others. There is also the acknowledgement of Sir Walter Robertson *alias* Douny on behalf of the Earl of Bothwell on receiving these writs from Jane Hepburn on 30th October, year not given; witnesses, William Douglas, and Mr. George Hepburn, parson of Haüch.

82. Letter of Gift by Mary, Queen of Scots, to David Hume of Wedderburn and his heirs or assignees of the nonentry duties of the following lands, viz., the one and a half husband lands called Gowan Cruke, and half a husband land in Hirsell, both in the sheriffdom of Berwick; and of three quarters of a husband land in Pincartoun in the constabulary of Hadingtoun and sheriffdom of Edinburgh, for all the years since the death of George Home of Wedderburn, brother to the said David, “quha deceissit under oure baner in the feild of Pinkycleuch;” as also of those of the lands and barony of Hiltoun since the death of the said George or of Alisone Douglas, his mother. Given under the Privy seal at Edinburgh, 28th June 1564.

83. Confirmed Testament dative of Mary Johnestoun, spouse of David Home of Wedderburne, who died in May 1564, given up by her said husband as executor before these witnesses, Alexander Hoppringle, George Leiche, Archibald Duncane, Patrick Hamilton and Robert Bowmaker. In the Inventory their goods are described as consisting of 64 oxen worth £5 each, 34 ky worth £4 each, 20 young nolt worth 40s. each, 240 yowis worth 10s. each, 120 wedders worth 20s. each, 160 hogs worth 5s. each, 6 horses worth £6 13s. 4d. each; which with grain in the barn and sown in the fields, and household plenishing, brought the value of all to £1,912 3s. 4d. They were indebted to others in the sum of £1,682 17s. 4d., which left £229 6s. of free gear, the third of which or dead's part was £76 8s. 8d. Among the creditors were Lady Polwart, for her “male of Wedderburne,” £40; William Cuke, weaver, 50s.; the Laird of Craigy, £120; Lady Cassillis, £20; the Laird of Kilsyth, £60; Old Lady Quhittinghame, £16; and the Laird of Lochinver, 1,000 marks. Confirmation is given by Mr. James Balfour and Mr. Robert Maitland, two of the Senators of the College of Justice, and Edward Henryson and Clement Littill, advocates, who had been constituted by the Queen's Commission dated 3rd March 1564, Commissaries of Edinburgh. (Signed.) Johne Johnestoun. There is a good impression on paper of the seal of the Commissariat office, which displays a thistle head, surmounted by a crown and flanked by the initials M. R.

84. Licence by King Henry and Queen Mary to David Home of Wedderburn changing his ward from Galloway to Edinburgh :—

REX et REGINA.—We be the tennour hereof grantis and givis licence to our lovit David Hwme of Weddirburne to depart and cum furth of his present ward appointit and limitat within the boundis of Galloway bewest the watter of Nyth, and changeis his said ward to our burgh of Edinburgh, quhair we will and ordane the said David to remane in fre ward and sex mylis about the samyn during our will and quhill he be fred be ws; the former caution fund be him standand in the like strenth and effect for his warding and remaning within the saidis boundis as gif he had still continewit in the saidis partes of Galloway; quhairanent be thir presentis we dispens. Gevin under our signet and subscrivit with our handis at Edinburgh the xxvj day of Aprile, and of our regnis the first and xxiiij yeiris, 1566. (Signed) MARIE R. HENRY R.

85. Licence by King Henry and Queen Mary to David Home of Wedderburn, relieving him of his ward :—

REX et REGINA.—We be the tennour heirof grantis and gevis licence to our lovit David Hwme of Weddirburne to depart and pas hame to his duelling place of Weddirburne or wtherwyse in our realme at his plesour, nochtwithstanding his present warding or quhatsumevir sourties fund be him, or for his remaining thairin, with quhame we dispens be thir presentis; providing that he enter agane within his said ward in our burgh of Edinburgh and boundis limitat to the samyn quhensoevir he salbe chargeit be ws upoun aucht dais warning, thair to remain during our plesour; for the quhilk his reentre we will that his former cautioners fund be him in the buikis of our Secrete Counsall abyde and stand obligit, notwithstanding this present licence. Subscrivit with our hand and under our signet, at Edinburgh, the xiiij day of Maij, and of our regnis the first and xiiiij yeiris, 1566. (Signed) MARIE R. HENRY R.

86. Instrument upon the refusal of David Home of Wedderburn to sign the General Band :—

Apud Edinburgh vicesimo primo die mensis Januarij anno Domini millesimo quingentesimo sexagesimo sexto.—The quhilk day in the Court of Justiciarie haldin in the tolbuith of Edinburgh be Maister Thomas Craig, Justice Depute, etc., David Home of Wedderburne being callit upoun ane act to have underlyne the law for certane crymes contenit in our Soverannis letters anent the allegit contravening of ane generale Band maid to hir Grace at Jedburgh, and incontinent efter his entre being chargeit in judgement be the Justice Clerk att command of our Soveran Ladeis precept directit to him thairupoun, to subscribe the Band maid be the barronis, frehaldaris and landit men of the schirefdome of Roxburgh for the gude reule of the cuntre to our Soveran Ladye and hir successouris, quhilk Band wes presentit and offerit to him be the said Justice Clerk to be subscrivit as said is, off the dait at Jedburgh the xxvij day of November the yeir of God

j^m v^e lxj yeiris; ansuerit and said that the said charge wes gevin to him in jugement and nocht cumin to his knowlege of before, and that the Band that is presentit to him is ane auld Band subscrivit in the lxj yeir of God be certane gentilmen of Tevydell subscryvaris thair of, quha had committit sielik crymes as is contenit thairin, and that he, his predecessouris, norname of his surname duelland within the boundis of the Merse wer never culpable of siclyk crymes. Thairfoir gif it plesit our Soverannis and hir Counsale, he being callit thairto in thair presens, eftir tryell being takin in the premissis, undir protestatioun that he may have the copy of the said Band and charge to be awysit with, considdering the samin redoundis to the sklander of his haill freindis, that he sall gif hir Majestie sic reasonabill ansuer as sall appertene to him to gif unto thame of his dewetie and according to reasoun. And forther offerit him to mak sielik band as the Lord Home, his cheif, and remanent barronis of the cuntre dois; and also that he offerit him reddie to ansuer to the summondis, and conforme thairto desyrit process and thairupoun askit instrument and act of court of me, notar publict undir-writtin. And alsua the Ladye Kilsyth, upoun his ansuer foirsaid askit inlykmaner act and instrument of court.—Ita est Jacobus Banatyne, no^{rius} publicus et sc̄ba d^{te} curie.

87. Instrument of Sasine, dated 4th March 1566-7, given by David Hume of Vedderburn, knight, with his own hands, to George Hume, his eldest son and apparent heir, in the sixteen husband lands of Ramrig and Greynsyd, within the parish of the Virgin Mary of Steill and sheriffdom of Berwick. Among the witnesses is David Howm, natural son of the deceased George Home of Wedderburn.

88. Discharge by Dame Margaret Cunninghame, relict of John Wallace of Craigie, and Andrew, Lord Stewart of Uchiltree, now her spouse, to David Home of Wedderburn for 40 marks, as the terce due to her from the lands of Fentoun in the shire of Renfrew by annexation and constabulary of Haddington for the period since the death of the said John Wallace, which was in August 1570. Dated at Edinburgh 7th February 1572-3; witnesses, Patrick Nisbett of Ryishill, Henry Nisbett, burgess of Edinburgh, Lucas Craik and Robert Nicole.

89. Discharge by Alexander, Commendator of Coldingham, and Alexander Home of Manderstoun, his father, as administrator for him, to David Home of Wedderburn, knight, for £80, as for the teind sheaves of Kello and Kymmerghame, pertaining to the Priory of Coldingham, for the years 1570 and 1571; dated at Coldingham 14th February 1572-3; witnesses, Andrew Levenax, William Mure, Thomas Huntare, and George Gray, servants to the granters. Signed "ALEXANDER, COMMENDATOR OF COLDYNGHAM, ALEXANDER HOUM OF MANDARSTOUN."

(7). SIR GEORGE HOME OF WEDDERBURN, knight, 1574-1616.

90. Precept of *Clare Constat* by Archibald, Earl of Angus, with consent of James, Earl of Morton, Regent of Scotland, his

tutor, in favour of George Home of Wedderburn as heir of David Home of Wedderburn, his father, who died last infett in the half lands of Kymmerghem, in the regality of Bonkill and sheriffdom of Berwick; and in the lands of Wolley and Wolhopley, in the regality of Jedburgh Forest and sheriffdom of Roxburgh; dated at Dalkeith, 10th December 1574; witnesses, John Carmichael, younger of that Ilk, John Leverance, minister, and others. (Signed.) ANGUS, JAMES REGENT. The Earl of Angus's seal is appended but is somewhat broken.

91. Instrument of Sasine dated 21st February 1574-5 in favour of George Home of Wedderburn, as heir of his father the deceased David Home of Wedderburn, knight, in the lands of Wedderburn, the fifteen acres of Pilrig, the husband land called Gowancruke, one and a half husband lands in the lordship of Hutoun and the lands of Jardinefield and Hirsell; proceeding upon a Crown precept from Chancery which narrates his retour in these lands, dated 18th November 1574. John Cokburne in Chapellelewch, sheriff depute of Berwick, gives sasine to John Symson, attorney for George Home; witnesses, Adam Fortoun in Kimmerghem, Hugh Hudsoun, exhorter in Quhitsum, Robert Manwall in Peilrig, George Locke, domestic servant in Wedderburn, Matthew Gotherstoun there, George Wilsoun in Langtoun, and John Millare *alias* Merchell in Langtoun mill; George Craig, clerk of St. Andrews diocese, being notary.

92. Discharge by Mr. John Halden of that Ilk and Glennegeis to George Hwme of Wedderburn for £1,230 11s. 4d., Scots, in part payment of a larger sum due as tocher with his sister, Isabel Hume; dated 24th February, 1574-5; witnesses, Michael Gilbert, burgess in Edinburgh, Robert Haldane, John Johnston and John Symson. Signed. J. GLENNEGLISS.

93. Agreement dated at Stirling, 17th September 1576, between George Hume, son and heir of the deceased Sir David Hume of Wadderburne, and Margaret Ker, widow of the said Sir David, whereby for the extinction of all disputes and law pleas between them and that "they may continue in favouris, luiff and kyndnes with utheris" hereafter, the said George obliges himself to pay to the said Margaret and her heirs and assignees the sum of 800 merks in full satisfaction of all she can claim as widow foresaid, or otherwise, she keeping also the goods, gear and money with which she has already medled; and he promises not to trouble her in her possession of the lands of Moristoun, Heitschaw and Blaikhaucht, in which she was infett by her said deceased husband. Further, as the lands of Handaxwood, of which she has the conjunct fee right, have recently been redeemed, and the profits thereof which should belong to her in liferent, have been appropriated by the said George, he promises to pay her, in respect thereof, ten merks yearly during her lifetime. In return she discharges him of all claims whatsoever, including the arrears of the teinds and other duties of the lands of Langschaw. The deed is signed only by MARGARET KER; witnesses, Robert Home, William Symson, and Alexander Pringill.

94. Acquittance by Dame Margaret Ker, Lady Wedderburne, to George Howme of Wedderburne, for 300 merks, in part payment of a sum of 800 merks due to her by him; dated at the Langschaw, 19th September 1577; witnesses, John Pringill of Buckam, Mr. Robert Pringill, Thomas Wichtman, and Thomas Donaldsone; signed, MARGARET KER.

95. Contract of Marriage dated at Edinburgh, 15th January 1577-8, between George Hume of Wedderburne and Jehane Haldane (with consent of Elizabeth Lundye, Lady Glennegis, and John Haldane of Glennegis, her brother german). They are to marry each other "in face of haly kirk and Cristis congregatioun as the law of God prescribeis with all solempniteis requirit thairto," before 11th February next, and before then George Hume is to infest his said future spouse in liferent in the Mains of Wedderburn, with the manor and mill and pertinents thereof and in the fifteen acres of land called the Pilrig, lying in the lordship of Wedderburn and sheriffdom of Berwick, to be held of himself; and also in the lands of Kimmerghame, to be held of the superior thereof; but it is provided that these may be afterwards exchanged for the lands of Polwart and Moreistoun. Her tocher is 3,000 marks. The witnesses' names have not been filled in, but the contract is signed by the parties named.

96. Discharge by Mr. James Setone, parson of Quhitsum, to George Howme of Wodyrburne, for £50, as part of the sum of £100 due for the teind sheaves of the parish of Quhitsum for the year 1578; dated at Edinburgh, 2nd January 1578-9; witnesses, John Setone and Andro Setone, servitors to Lord Setone.

97. Extract Decreet of the Lords of Council and Session in a complaint at the instance of James Brountfield, Anthone Trotter, Adam Sanderson, Andro *alias* David Neisbeit, and the remanent tenants and occupiers of the lands and fishings of Upsatlington, in the sheriffdom of Berwick, pertaining to the prebend of Upsatlington within the Collegiate Kirk of Dunglas, against Patrick Home, natural son of the deceased David Home of Wodderburn, and George Home, uow of Wodderburn, his tutor, as follows:—Thomas Ogilvie, "petagoge" and servant to Alexander, Lord Home, resident in St. Leonard's College in the city of St. Andrews, on the one hand, claimed to be provided to the prebend of Upsetlington for his life, and required the said tenants to pay their rents to him, which they did, knowing no other as having right thereto; but, on the other hand, the said Patrick Home alleges that he is prebendary of Upsetlington, and claims the rents from them. After hearing Mr. David Gall as procurator for the complainers, and Mr. Edward Hay as procurator for the defender, the Lords ordain that the rents shall be paid to the said Patrick Home for the year 1578 and in future. Mr. John Scharpe as procurator for the said Thomas Ogilvie had pled that seeing Ogilvie had been lawfully provided to the said prebend by the deceased Alexander, Lord Home, with consent of the deceased Mr. John Home, provost of Dunglas,

by their letter of gift dated 1st June 1570, and so had the first gift and older possession, and seeing further that he had been in receipt of the rents since then until the year in question, he ought to be preferred; but being required to substantiate these facts as alleged, he failed to do so. The decret is dated 4th July, 1579, and is extracted by James Makgill. On the 9th November, 1698, the said Patrick Home obtained a decret of removing against Adam Achesoun, Adam Oynis, William Nisbit, John Mur and Marion Reburne, then tenants and occupiers of his six husband lands of Upsetlington.

98. Precept by King James the Sixth for paying the warden fee to George Home of Wedderburn:—

REX—Thesaurair, we greit you hertlie weill. Forsamekle as our weilbelovit George Hwme of Wedderburne hes servit in the office of wardenrie of oure eist merche now ane compleit yeir bygane, quhairfoir it is our will and we command yow that ye answer and mak pament to him of his wardane fie, extending to the sowne of ane hundreth pundis money of our realme, of the termes of Mertymes and Witsonday last bypast, and siclike yeirlie in tyme coming salang as he servis in the said office, quhilk salbe thankfullie allowit to you in your comptis, kepan and this oure precept with his acquittance to be schewin upon compt for your warrand. Subscryvit with our hand at our Palice of Haliruidhous, the day of , and of our reigne the xij yeir, 1579. (Signed) JAMES R. (Countersigned) WCHELTRE, LEUINAX.

99. Bond of Mr. John Provand, burgess of Edinburgh, to George Howme of Wodderburne, Lord Warden of the Eist Marches of Scotland, promising that as the said George Home has become surety for him and for George Achesoun, burgess of Edinburgh, that they will pay to Sir John Froster, Lord Warden of the Middle Marches of England, the sum of £270 sterling, money current in England, within the Abbey of Anvick at Whitsunday and Martinmas next, he will relieve him of all risk and damage on that account; dated at Edinburgh 18th January 1579-80; witnesses, Alexander Blyth and Andrew Watsoun, burgesses of Edinburgh, and Alexander Falconer and John Ormestoun, notary, his servitors.

100. Letter by King James the Sixth to the Laird of Wedderburn on Border matters:—

Traist freind, we greate yow hertlie weill. We ressaut your letter contenyng in effect thre poyntes. First, tueching the bill aganis Cuthbert Cranstoun, we marvell of Mr. Selbyis desire to haif that bill dividit, sen it wer to small purpos to spair the father and prosecute the soñis, quhilk we understand wes neyther the meaning of the Quene of England and hir Counsale nor yit agreeable with ressoun; and sa we traist Mr. Selby sall nocht insist in this matir quhill the returning of the resolute ansuer of our said dearest suster in sindrie matiris concerning the Bordouris heirtofore writtin be ws unto her.

Tueching the desire of the fying of the bill quharin umquhile George Burnfeld *alias* Cutlug wes arreistit, it seamys nocht a mater necessar or requisite to burdyng yow with, and we traist neyther of the officiaris nor best experimented Borderers of ayther realme sall think the extremitie of this preparative to be insisit in, for it wer absurditie to fyle a deade man condicionallie quhais persoun wer hard to be transportit in state as it is presentlie. Ye mon accompany your self the best ye can at the next meting and use the advise of the gudeman of Hutounhall and sic utheris as ar best experimented quhar ony difficultie appearis. We doubt not bot Mr. Selby will lett it rest quhill it may be decidit ather be the writtin law or the meting of Commissioners or quhill the lovable custum be verifiit be the maist skilfull Borderers of baith the realmes, And sa resting to new occasioun, we commit yow to God. At Halyruidhous the xij day of Februare, 1579. (Signed), JAMES R.

(Addressed) To our traist freind the Laird of Waddirburne, Wardane of the East Merches of our realme foranent England.

101. Commission under the Signet of the Sheriffs of Berwick and Roxburgh, and to the Wardens of the East and Middle Marches, and their deputes, to search for, ward and apprehend in the tolbooth of Edinburgh, all persons involved in the murder of John Hammiltoun of Cumnok, who was slain on 17th January, last "vnder silence of nycht in his bed within ane laych chalmer in the place of Polwart;" dated . . . February in the thirteenth year of the King's reign (1579-80.)

102. Letter from King James the Sixth to the Laird of Wedderburn :—

Traist friend, We greit you hertlie weill. We have ressavit advertisement frome our dearest suster and cousine the Quene of England of hir contentment tueching the meting of Commissionaris at the Bordouris in May nixt to treat and take ordour in all caussis standing in contraversie betuix the wardenis and subjectis of ayther realme; quhairfoir we desire you effectuslie that you failt nocht to be with us heir in Striviling upon the xxvj day of Aprile instant, agane the quhilk we have appointit our Counsale to be togidder, that be your gude advise and information the direction and instructionis of our saidis Comissioneris may be consultit upoun and formed; and that ye bring with you all your rollis new and auld resting unredressit upoun the attemptatis alsweill of geir as slauchteris that it may be considerit quhat is to be craved of ws and quhat we have to mak redres for, with sic uther thingis as ye think may instruct in this behalf; and sa louking without fail for your cuming, committis yow to God. At our Castell of Striviling, the ix day of Aprile 1580. (Signed) JAMES R.

(Addressed) To oure traist freind the Lard of Wedderburne, Wardane of the Eist Marche of our realme foranent England.

103. Gift by King James the Sixth under the privy seal to George Home of Wedderburn of the escheat of Eckie Trumbill of Belsis and John Young in Camys, who have been convicted by an assize as fugitives from justice. They had been accused as accessory to the murder of John Hamilton of Cumnock committed on 22nd January 1579-80. Dated at Stirling Castle, 25th April, 1580.

104. Discharge by Dame Margaret Ker, Lady Wedderburne to "Jehane Hepburne," widow of George Hume of Wedderburne (against whom she had raised an action before the Lords of Council for recovery of "certane jowellis, gold, silver and utheris" specified in the summons) for 100 marks as part of a larger sum which the said Jean Hepburn has covenanted to pay her for dropping the action. Dated at Edinburgh 21st May 1580; witnesses, "George Hoppringle, my sone; David Hoppringill, pothecar; and Archibald Hoppringill." Signed by MARGARET KER, L. WODDARBURNE, wth my hand; and some of the witnesses.

105. Agreement between George Home of Wedderburn and James, Commendator of Pluscarden, and their wives, as to the lands of Thurston, 1580:—

At Thuristoun, the xxiiij day of Junij 1580. It is appointit and finalie contractit betuix James, Commendatour of Pluscarden, for him self and takand the burding on him for Agnes Home, his spous, on the ane pairt, and George Home of Wedderburne for him self and takand the burding on him for Jane Halden, his spous, on the uther pairt, that is, the said Commendatour and his spous sall infest and seise be chartour and sesing the said Lard of Wedderburne and his spous in few ferme in the Mains of Thurestoun, myln thairof and pertinentis presentlie occupiit be the said George be eist the merschis and methis following viz. : beginnand at the south pairt of the landis of Thuristoun at eist end of Tripslawhauch quhair the stryp fallis in the Langlaw watter and frathine assendand upwart be the said stryp to the sled furde and swa northwert as the strype or watter passage gangis to the Lempat furde and downwart as the stryp gais to the south dyk of the medow, and frathine west to the west end of the said dyk, passand fra that northwert to the west syde of the Peitpothoillis be ane auld cast cassin be umquhile Johnne Hepburne of Kirklandhill to the heid of the strype callit Akedein, and swa doun Akedein and doun the how of Akedein cleugh as the watter passis to the wattir callit Thuristoun Watter; for the yeirlie payment of threttie pundis of few mail; and dischargis the said Lard of Wedderburne off the violence and violent profettis thairof contenit in the claussis contenit in the menute of the contract maid at Streveling; for the quhilk the said Lard of Wedderburne and his spous renuncis thair rycht and possessioun to all the rest of the saidis landis of Thuristoun lyand bewest the saidis merschis in fawouris of the said Commendatour and his spous, and is content the said Commendatour and his spous enter presentlie thairto; and the said chartour of few ferme to contein commoun pasture. And ather partie *hinc inde* ratefeis and

aprevis the said contract maid at Streveling thairanent in all pointis of the dait the tuelff day of August the yeir of God j^m v^c thrie scoir nyntein yeiris; and the said George of Wedderburne to pay the byrun males efter the forme and tennour of the said minute. In witnes of the quhilk thing ather of the saidis parteis hes subscryvit this present contract with thair handis, day yeir and place foirsaidis, befoir thir witnessis, James Johnnstoun of Elphingstoun, Johnne Johnnstoun, his broder, Johnne Symsons, James Hopringill, servandis to the said Lard Wedderburne, and Alexander Symsons, notar publict, with divers utheris. (Signed) GEORGE HOOME, J. PLUSCARDIN.

106. Licence by King James the Sixth to George Home of Wedderburn relieving him of his ward :—

REX.—We be the tennour heirop with avise of the Lordis of our Secreit Counsale freithis and relevis George Hwme of Wedderburne furth of his present ward beyond the watter of Erne quhairin he wes commandit to remane, and grantis him licence and libertie to pas hame to his awin dwelling hous or utherwayis quhair he plesis without pane, skayth or dangeare to be incurrit be him or the personis his cautionaris for his remaining in the said ward in bodiis or gudis, notwithstanding ony actis or chargeis maid or past in the contrair; exonerand him and thame of all pane and dangeare that thay may incur thairthrow for evir; dischargeing our Justice, Justice Clerk, Thesaurare, Advocattis and all utheris our officiaris and ministeris of our lawis, of all calling, accusing, unlawing or in ony wayis proceeding aganis the said George or his saidis cautionaris for the caus foirsaid, poinding, troubling or intrometting with thame, thair landis and gudis thairfoir, and of thair offices in that pairt, be thir presentis. Gevin under our signet and subscrivit with our hand at Dalkeyth, the first day of August, and of our regnne the xv yeir, 1581. (Signed) JAMES R. (Countersigned) LENOX, ARRAN.

107. Licence by King James the Sixth to George Home of Wedderburne relieving him of his ward :—

REX.—We be the tennour heirop with avise of the Lordis of our Secreit Counsile, freithis and relevis our lovit George Home of Wedderburne furth of his present ward within our Castell of Downe in Menteith and grantis him licence to repair to our burgh of Edinburgh thair to remaine for doing of his lesum effaires and besines, unto the tent day of October nixt to cum, at the quhilk day we have appointit and be thir presentis appointis the said George to reentir his persoun agane in ward within our said Castell thair to remane as of befoir ay and quhill he be fred and relevit be ws; be thir presentis. Subscrivit with our hand at Falkland, the xiiij of September, 1584. (Signed) JAMES R. (and countersigned) JAMES STEUART. AR. CLK. REGRI. (Alexander Hay, Clerk of Register.)

108. Bond by George Home of Wedderburne, with George Home of Aitoun and George Home of Spot as cautioners for him, that being presently released from ward and permitted to go home he will re-enter to ward within the Castle of Doune in Menteith on 15th November next, and remain there until liberated by the King; also that meanwhile he will behave himself as a dutiful subject and have no intercourse with any of his Majesty's declared traitors and conspirators under the penalty of £10,000. 21st September 1584.

109. Licence by King James the Sixth to the Laird of Wedderburn's men to return home from the first Raid of Stirling:—

REX.—We be the tennour heirop with avise of the Lordis of our Secreit Counsale grantis and gevis licence to the men, tennentis and servandis duelland upoun the propir landis perteneng to George Hwme of Weddirburne to depairt hame and remane at hame fra this our present oist and raid appointit for repressing of the insolence of certane our traitouris and rebellis quha hes tackin and saisit thame selfis within our toun of Striviling and Castell thairof, and will and grantis that thai sall not be callit nor accuisit thairfoir criminalie nor civilie nor incur ony pane, skaith or dangeare thairthrou in their personis, landis or gudis, notwithstanding ony our actis, statutis, letteris or proclamationis maid or to be maid in the contrar, anent the quhilk and panis contenit thairin we dispens be thir presentis; dischargeing heirfoir our Justice, Justice Clerk, and thair deputis, Thesaurar, Advocatis and ministeris of our lawis within our realme, of all calling, accusing, atteiching, arreisting, summoning or persewing of the saidis personis for thair remaning fra this our present oist, unlawng, poinding or troubling of thame thairfoir. Gevin under our signet and subscrivit with our hand at _____, the _____ day of _____, and of our reigne the xvijth yeir, 1584. (Signed) JAMES R. (Countersigned) HUNTLYE, ARRAN, Clar.

110. Licence by King James the Sixth to George Home of Wedderburn relieving him of his ward:—

REX.—We be the tennour heirop grantis licence and liberte to George Hwme of Weddirburne to remane at hame at his awin dwelling hous or utherways to repair quhair he plesis, for the quhilk we will and grantis that he nor his souirtie fund be him for his entre in ward within our Castell of Downe in Menteith upoun the xv day of Nouember instant sall incur na skayth nor dangeare in their personis landis or gudis, nor sall not be callit nor accusit for the samyn criminalie nor civilie be ony maner of way in tyme cuming, nochtwithstanding the said souirtie fund be the said George or ony actis or statutis maid in the contrair, quhairanent we dispens be thir presentis; exonereng him and his said souirtie of all pane and dangeare that they may incur thairthrow for evir, dischargeing all our officiaris and ministeris of our lawis of all proceeding aganis thame for the caus foirsaid

and of thair offices in that pairt, providing alwayis that the said souirtie ellis fund be him stand obleist as of befor for the said Georgis entre in ward within our said Castell as he salbe requirit thairto upoun aucht dayis warning under the panis contenit in the Act maid thairupoun, utherwayis thir presentis to be null. Gevin under our signet and subscrivit with our hand at Halyruidhous, the tent day of November, and of our regnne the xviiij yeir, 1584. (Signed) JAMES R. (Countersigned) ARRAN, Clr, MUNTROISS.

111. Discharge by Alexander, Commendator of Coldingham, to George Home of Wedderburn for himself and as son and heir of the deceased Sir David Home of Wedderburn, his father, for the teinds of Kymmerghem, Kello and Redyloch for the year 1584; dated at Coldingham 8th January 1584-5; witnesses, David Home, minister of Coldingham, Jasper Home of Lawfeild, and Richard Cass, the discharger's servant.

112. Charter by George Home of Wodderburne, with consent of Jean Hadden, his spouse, to William Broune in Kymmerghame and his heirs, of the Easter corn miln of Kymmerghame with the house and kiln belonging thereto, and pasturage for a horse on the Common of Kymmerghame; to be held of the granter blench, for payment of one penny annually, if asked; dated at Wedderburn 28th December 1585; witnesses, Mr. Patrick Gattis, rector of Dunse, William Symson, messenger, David Nisbet in Kymmerghame, and James Craig, notary. Parts of the seals of both granters are still appended, that of George Home displaying a shield with three popinjays, two and one; and that of Jean Haldane, a shield bearing a chevron and three fleurs-de-lis. On the following day the said William Browne grants Letters of Reversion in favour of the said George Home and his heirs of the above mill and others on payment of 1500 merks as redemption money. It is here stated that those who are thirled to this mill are the tenants of the said George Home of his lands of Hiltoun, Jardanfeild, Ramrig, Our Lady Kerk, Darnchester, Quhitsum and Quhitsumlaws with their pertinents, the said tenants being also obliged to "cast the mylne dam" and "leid the mylne stains, faill and devat to the bigging of the said mylne, mylne hous and kill."

113. Renunciation by John Touris of Innerleith in favour of George Home of Wedderburn, (who has paid him 1000 merks Scots) of an annual rent of 100 merks upliftable from the lands, mains, place and corn mill of Wedderburn; dated 19th May 1596; witnesses, Clement Kincaid of Coitis, Mungo Russell, merchant, Thomas Foullis, goldsmith, burgess in Edinburgh, and others.

114. Contract between Archibald, Earl of Angus, and George Home of Wedderburn, whereby for the sum of 500 merks to be paid to him by the said George Home before 1st August next, the Earl promises to infeft him and his heirs male of the house of

Wedderburn in his lands called Kettilscheill and Dronescheill with their pertinents, in the sheriffdom of Berwick, and regality of Bothwell by annexation; to be held of the said Earl in free blench for payment of one penny annually if asked, but under reversion. It is provided that in the event of redemption the Earl will receive the above named grantees as his kindly tenants in these lands. Dated at Dalkeith 31st May 1586; witnesses, Mr. James Home, brother of the said George Home, James Pringill and others.

115. Instrument of Sasine dated 30th July 1586, in favour of Sir George Home of Wedderburn in the fishing upon the Water of Tweid, commonly called the fishing of Upsetlington lying between "the Vest furde of Norham and the furde callit Bendibus at Newbiging" belonging to the prebend of Upsetlington in the Collegiate church of Dunglas; proceeding upon a Charter thereof granted by Hugh Hutsone, prebendary of Upsetlington with consent of Alexander, Lord Home, as undoubted patron thereof, and also of Mr. Thomas Ogilvy, provost of the said Collegiate Church and prebendaries thereof. Witnesses to the sasine are David Nisbet in Kymmerghame, William Nisbet of that Ilk, Alexander Edgar there, and William Palry of Graden. Sir George Home has another sasine of the same fishing on 6th September 1587, proceeding upon a Charter of feufarm thereof by the said Hugh Hudsoun, with consents as above, and those of Thomas, Master of Glamis, Lord Treasurer, and Sir Lewis Bellenden of Auchnoule, Justice Clerk, as curators of Lord Home, dated at Edinburgh and Dunglas 3rd and 10th May 1587, the witnesses to the charter being "Chirellis" Home prebendary of Chirnsyde, Francis Wilson, prebendary of Dewingham and Peter Hewatt, prebendary of Kello. Sasine was given by delivery of a net to the said Sir George at the West ford of Norham, before David Home of Coldingham Law, Mr. David Home, brother german of the said George Home of Wedderburn, and others. On 6th November 1591 James Hoppringle, as procurator for George Home of Wedderburn, presented a petition to Adam Cockburn, sheriff depute of Berwick at Langtoun for a extract of this sasine from the prothogoll book of the deceased James Craig, sheriff clerk of Berwick. This book was in the possession of Agnes Cockburn, his widow, and Mr. William Methven, minister at Langtoun, now her husband, who refused to produce the book, unless compelled. On being summoned they compeared and produced the book, and the same being found to be in the handwriting of the said James, who was both "loyall and famous" the sheriff depute ordained a transumpt of the sasine to be made. The Charter referred to in the sasine of 1587 is also extant, and has still appended to it, (1) the seal of Alexander, Lord Home; (2) the common seal of the Collegiate Church of Dunglas, and (3) the seal of Mr. Thomas Ogilvy; the last being somewhat broken and defaced, but apparently bearing on a shield a lion *passant*.

116. Instrument of Sasine, dated 26th September 1586, in favour of George Home of Wedderburn, in the half-lands of Polwart and mill thereof with the alternate patronage of the kirk of Polwart, proceeding upon a Precept from Chancery of the same date, in which it is stated that he has been served heir in these lands to his father's brother, George Home of Wedderburn, who fell at the battle of Pinky, and that security is to be taken for £13 6s. 8d. of nonentry duties, and two pennies silver as duplication of the blench duty. The witnesses to the sasine are John Daugleis and William Hill, servants to Patrick Cockburn, who is bailie in giving sasine, and Edmund and John Broderstanis and Thomas Trotter in lie Polwart; James Craig, clerk of St. Andrew's diocese, being notary.

117. Obligation by David Home, brother german of the Laird of Wedderburn, that on payment of within the parish kirk of Duns, he will resign the three husband lands in Renton, in the barony of Coldingham sold to him by his said brother; dated at Wedderburn, 22nd November 1586; witnesses, Mr. John Home, brother german to the said George and David Nisbit in Kymmergham Mill. Signed. DAVID HOME.

118. Acquittance by Archibald, Earl of Angus, Lord Douglas, Dalkeith and Abernethy, to George Houm of Wedderburn for £253 6s. 8d. as the balance of 500 merks due to him by contract between them; dated at Dalkythe, 23rd August 1586. Signed, ANGUS.

119. Licence by King James the Sixth to George Home of Wedderburn relieving him of his ward :—

REX.—We be the tennoure heiroy gevis and grantis licence to George Hwme of Wedderburne to pas hame to his awin dwelling place and utherwyse repair to and fra all partes of oure realme for doing of his lefull erandis and bissyne in tyme cuming, without ony cryme, skaith or danger to be incurrit be him thairthrow, notwithstanding his present ward quhair he remanis beyond the watter of Tay and charge gevin him for that effect, quhairanent we dispens be this present. Subscrivit with our hand at _____, the _____ day of _____, and of oure reigne the twenty yeir, 1586. (Signed), JAMES R. (Countersigned) THYRLSTANE.

120. Feu Charter by Mr. Thomas Ogilvy, Provost of the Collegiate Church of Dunglas and prebendary of Strafontanis, with consent of Alexander, Lord Home, patron of all the prebends of the said church, to Mr. John Home, brother german of George Home of Wedderburn, and his heirs and assignees whomsoever, of the lands of Goddiscroft, Malcomescheill and Hilend, with their pertinents, in the sheriffdom of Berwick; to be held of the granter and his successors for payment of £4 yearly as the old rent, with 6s. 8d. of augmentation and duplication of the said feu-duty at entry of heirs; dated at Dunglas, 2nd April, 1589; witnesses, Thomas Nesbitt, James Makdowell, brother to the

Laird of Makcairston, and John Home of Myddilthird, servitors to the said Lord Home and others. Signed, ALEX L. HOME, Mr. THOMAS OGILVY, PROWEST of DUNGLASS, PETRUS HOWATT P'BENDARIUS de KELLO *manu sua*. Sasine was taken upon the foregoing charter on 5th April, 1589, by Mr. John Home in person, and was given by William Raa, as bailie; witnesses, William Nisbet, son of James Nisbet in Godis Croft, two servants of Hugh Nisbet in Reishill, and Michael Murdo; James Craig, clerk of St. Andrew's diocese, being notary.

121. Tack by Andrew Winchester, parson of Hiltoun, to Mr. James Houme, brother german of George Houme of Wedderburne, undoubted patron of this parish kirk, and with the said patron's consent, to his said brother, and the lawful heirs male of his body, whom failing, the said George and his heirs male of the teind sheaves of the barony of Hiltoun and Oterburne, Gairdenfeild excepted, for nineteen years, reserving the teind straw of Otterburne yearly to the said George for the leading thereof; for payment yearly by the said Mr. James and his heirs of "saxtene bowis of aittis and four bowis of beir, mercat met, gude and sufficient stuff," with £20 Scots, and relieving the said Andrew and his successors "of the bigging of the queir, all taxationis, breid and wyne to the communion with all other extraordinary chargeis"; dated at Wedderburne, 1st August, 1589; witnesses, Mr. Patrick Gaittis, parson of Dunse, David Haddene, James Pringill and others. Signed, GEORGE HOUME, ANDROW WINCHESTIR, person and wickar of Hilton.

122. Obligation by George Home of Wedderburn stating that Alexander, Lord Home, his chief, had given him a discharge of all reversions granted by any of his predecessors for the redemption of the lands of Ramrig and Greinsyde and promising that neither he nor his heirs would ever use the same against his lordship or his heirs, dated 1589; witnesses, George Home, portioner of Gwillane, Mr. Thomas Ogilvy, provost of Dwnglass, and Mr. John Home, the granter's brother.

123. Extract Act of the Privy Council of Scotland dated at Edinburgh 5th August 1590, to the effect that Alexander, Lord Home, as principal, and George Home of Wodderburne, as cautioner, became bound to relieve his Majesty and his wardens of all injuries committed by Lord Home's tenants and vassals, in terms of the General Band, with clause of relief in favour of the cautioner.

124. Tack by Andrew Winchester, minister and parson of Hiltoun, with consent of George Home of Wedderburne, as patron, to Mr. James Home in Wedderburne, and Isobel Home, Lady Corsbie, his affianced spouse, and the sons of their marriage, whom failing, to the heir male of the said patron, of the teind sheaves of the parish church and parish of Hiltoun, and all lands within the same for nineteen years, their entry to be at Lammas 1598; for payment yearly to the granter and his successors of

sixteen bolls oats and four bolls barley, with £20 money and maintaining the choir, paying taxations, communion elements and extraordinary burdens; dated at Wedderburn 13th April, 1591; witnesses, Mark Achesune of Mylnehaven, Alexander Home, lawful son of Patrick Home of Polwart, William Jaffrey in Ramrig, and John Fortune, servitors to the said George Home. Signed by the parson and witnesses, and thus by George Home, "In intuitu futuri matrimonii inter partes suprascriptos I geve my consent alenerly, George Hovme."

125. Acquittance by Isabella Houme, spouse of Thomas Laudian in Lylstoun, with consent of her said husband, to William Broun in Kymmerghame, as cautioner for George Howme of Wedderburne, for 400 merks as the balance of a sum of 800 merks due to her by contract between them dated 19th and 20th January 1587; dated at Lauder 27th April 1591; witnesses, Alexander Wilkesone, notary and burgess in Lauder, Timothe Frank, notary there, Adam Lauthiane in Lylstoun, James Lauthiane, his brother, and Rodger Law. Signed by the dischargers.

126. Bond of Amity between George Home of Weddirburn, and John and David Home, portioners of Blackader, in which it is narrated that there has been long controversy between them about the lands of Hiltoun, and that the said George has obtained a decreet of removing therefrom against the said John and David; and that now "considering with thameselves the neirnes and proximitie of blude quhairin thay stand, being descendit of that hous of Weddirburn quharof the said George is cheiff and principall, as als the inconvenientis quhilk may ensew be thair variance and discorde, and being of gude mynd thairfoir that all occasione thairof be removit and sic love and freindschip intertenit amangis thame as becumis sa neir and tendir kynismen in tyme cuming, have amicablie convenit and agreit upoun the heidis and conditiones following," viz. :—George Home of Weddirburn, with consent of Mr. David Home, his brother german, is to set in feu heritably to the said John and David Home, equally between them, and the lawful heirs male of their bodies, whom failing, to George Home, their brother german, and the lawful heirs male of his body, whom failing, to return to the said George Home of Weddirburn, the Mains of Hiltoun, excepting the manse and glebe, to be held by them of the said George Home of Weddirburn, they paying to him £10 yearly, and assisting him and his heirs in their lawful quarrels against all persons (the Authority excepted), and in such honourable services as are due to their chief. The said John and David Home promise to grant reversions of the said Mains of Hiltoun, and further to obtain themselves infest in the lands of Blackadder, and make resignation thereof in the hands of the superior for a regrant to the same series of heirs as above; and in return for this, George Home of Weddirburn promises to entail an equivalent part of his lands upon himself and the lawful heirs male of his body, whom failing, his brothers german successively,

whom failing, the lawful heirs male of the deceased John Home of Newton of Qubitsum, father's brother to the said George, whom failing, the said John and David, portioners aforesaid, and their brother George, whom all failing to revert to the said George Home of Wedderburn and his heirs. The parties hereby mutually discharge all their quarrels and controversies. It is provided, however, that this bond shall not be extended to the contract between the said parties made in September, 1582, by which it was agreed that Mr. James Home, brother german to the said George Home of Wedderburn, shall enjoy the teinds of Hilton. The bond is dated 1591, but it is neither signed nor attested.

127. Discharge by Mr. John Layng, Keeper of his Majesty's Signet, as agent for Mr. Robert Danielstoun, Conservator in Flanders, one of the tutors of William Danielstoun, son to the deceased Mr. Peter Danielstoun, who is absent from the country, and by Janet Ramsay, widow of the said Mr. Peter, and mother of the said William Danielstoun, to George Home of Wedderburne for £100, as the duties of the Kirklands of Duns in arrears of payment, and with which he had intromitted. By decree of the Court of Session on 4th July 1587, the said William Danielstoun and his tutors (the said Mr. Robert Danielstoun and Mr. Thomas Bellenden) and his mother, had their right affirmed to these duties; and now for the above payment the dischargers acquit the said George Home thereof, as also the tenants of these lands so far as they are concerned, of all bygones; dated at Edinburgh 10th July 1592; witnesses, Adam Coupar, writer, Cornelius Tennent, son of the deceased Alexander Tennent, burgess of Edinburgh, and others. Signed by J. LAYNG with my hand, and by Janet Ramsay, who cannot write, by Adam Coupar, notary.

128. Letters of Lawburrows under the Signet, at the instance of Julian Hume, sometime spouse to Sir John Ker of Hirsell, knight, George Hume of Wedderburn, Mr. David, Mr. James, and Mr. George (*sic l. John*) his brothers, against "Walter of Litleden, Schir Johne Ker of Hirsell, knyght, his sone, Mr. Mark, Andro, James and Mr. Robert Keris, alsua his sonis, George Ker callit Shuit the Court, and James Ker, sone to the Laird of Grenheid," who molest the said Julian in her liferent possession of Litleden, and threaten the other complainers. Walter Ker and Sir John, his son, are required to find caution each in £2000, and each of the others in 500 merks. Dated at Edinburgh, 20th December 1593.

129. Assignment by George Home of Wedderburn as tacksmen of the teinds after-mentioned to David Home, his brother german, and his heirs male, of the teinds of Darnechester, with pertinents, in the parish of Lennell, and sheriffdom of Berwick, for nineteen years; the said Mr. David, having power to make security upon these for the liferent of his future spouse, whomsoever he shall happen to marry, but only during her widowhood; dated at Wedderburn, 8th January 1593-4; witnesses, Mr. John

Home, their brother german, Patrick Home, their brother natural, and Mr. Patrick Gaitis, minister of God's Word in Duncce.

130. Letters under the Signet directing John Purdie, Rothesay Herald, to charge Sir John Ker of Hirsell, who remains proudly and contemptuously at the horn, enjoying his livings and houses, as if he were a free subject, and Walter Ker, of Littledean, his father, and all others, havers and keepers of his houses and places, viz. of Spyla and Graden in Teviotdale, to deliver the same under pain of rebellion; dated at Aberdene, 27th February, in the 27th year of the King's reign (1593), signed, JAMES R. There is a note on this document explaining that Sir John Ker was guilty of "double adultery," having turned off his own wife, sister to Wedderburn, and enticed the wife of Hamilton of Innerwick, with whom he publicly cohabited at his house of Spylaw. In connection with this matter there is also a letter written by George Home of Wedderburn, dated 6th January, 1593-4, to the Ministers of Teviotdale, who had taken up the case as one of ecclesiastical discipline, in answer to one from them of the 3rd of that month, in which he deals at length with what had been done by friends and himself in regard to his sister's case, and also to the legal proceedings.

131. Fragment of Extract of a Contract dated at Edinburgh 7th February, 1594-5 (registered 23rd January, 1595-6) between George Home of Wedderburn, and Mr. David Home, his brother german, on the one part, and Sir John Ker of Hirsell, knight, on the other part, the design of which is the clearing of accounts between them. It is mentioned that George Home has been assigned certain sums of money by his sister Julian, wife of the said Sir John Ker.

132. Acquittance by Alexander Tunno of Harheuch to George Home of Wedderburne for 560 marks, being the price of two husband lands with pertinents in the lordship of Hirsell sold by him to the said George Home; dated at Wedderburne 20th February, 1594-5; witnesses, Philip Neisbet, fiar of West Neisbet, Thomas Home of Darringtoun, John Fortoun in Duns, and George Thomsone, notary. Signed ALX^R. TOUNO of HAIRHEUCHE w^t my hand.

133. Gift under the Privy Seal to Sir George Home of Spott, knight, of the escheat of Mr. John Home, brother of George Home of Wedderburn, who has been put to the horn at the instance of Jean Hamilton, Lady Spott, as relict, Anna Home, as daughter (with James Douglas her spouse,) and the remanent kin and friends of the deceased George Home, sometime of Spott, for failing to find caution to underlie the-law for participating in the slaughter of the said deceased George; dated at Holyrood, 17th May 1595.

134. Extract of Contract dated at Wedderburn 1st June 1895 (and registered at Langtoun by Adam Cokburne, sheriff depute of Berwick, on 11th November 1595) whereby George Home of

Wedderburn, with consent of Jean Haldane, his spouse, sells to William Brown in Kimmerghame, and his heirs and assignees, the east corn mill of Kimmerghame, with a horse's grass, and pasturage within the bounds of the town of Kimmerghame, with the thirl, multure and knaveship of the granter's servants and tenants in his lands of Hiltoun, Jardenfeild, Ramrig, Ladielkirk, Dronchester, Quhitsum and Quhitsumlaw.

135. Testament of Sir George Home of Wedderburn:—

The letter Will of me George Home of Wedderburn [under my] awin hand writt and subscription at [Wedderburne] the forteinth of October, 1596 yeiris.—I leawe my lowed spowse, Jeane Hadden, only twtrix to hir and my bairnes during hir wedoheid (if sche owerleawe me) as also the vpbringing of thame quhilke I wiss to be in the fear of God. And because hir bwrding (if it happen) mon have neid of help, I will hir to use the consell of Jhone Jhonstoun, my unkle, Andro Lwndy, hir unkle, Mr. David Home my brother, Alexander Home of North-Berweik, Philip Nisbet, hir gudbrother, Mr. Thomas Craig, Adwocat, nether be theis thocht in mony respectis meattest seclude I ony uther well affectionat freind, bot sche may use and employ sik as best may and vill. Item, if it fail be hir disceas or mariage I leawe the affoirsaidis eqwally twtouris, Mr. David to se to the ordering of the tenentis and that the profeittis of the leawing be brocht in, bot not to intromet himself bot to seik sik ansuered and obeyed as the twtouris pwt in credit, and that all thingis cum to the profeit of the air of his intertenement and renewing of his mewable secwreties, the rest to the uther beirnes as occasioun serwes and the afoirsaidis think meit.

Item, that my ewedentis be pwt in keiping to the Lord of Lwndy or this young Laird if the uther be not, and that ewery twtour hewe ane inventour of thame.

Item, I leawe my said spowse only exeqwetrrix and intromettress with my guidis and geir quharof I leawe all that I may to my dochteris.

I rest awand David Home of the Law of his tocher fywe hvndreth merkis, and of Langtounis tocher rest a thowsand merkis.

Swbscrywed and vritten be my self day and place and
 yeir forsaidis being the 14 of October a thousand
 fyve hundreth fowrscoir sextein yeir, befoir thir
 wittnesses, Mr. Patrik Gaittis, Parsone of Dwnee,
 and Mr. Alexander, his swne, minister at Polwort.

(Signed) George Hwme.

Patrik Gaitty, p s o. of Duns, witnes.

M. A. Gaitty, witnes.

There is a previous Will by Sir George Home dated at Wedderburn on 9th January, 1590, which is somewhat fuller than the foregoing. It names Robert Hadden among the friends whose assistance his wife may crave; desires that his brother, Mr. David, may for his labours have the profit of the teind of

Darnchester without accounting therefor; gives some directions about the prosecution of legal matters if such should arise; appoints payment of so much grain to be made to his brother Patrick, during the minority of the heir, he assisting the tutrix during that time, and of a legacy of 400 merks to Katherine Powelles; trusts his tenants will "be nether oppressit nether left withowt scharp disceiplein and correctioun ghen thair happinis to be cawse"; and counsels his wife not to live above what the profits of the houses of Thorstoun and Polwart will bear.

136. Contract between George Home of Wedderburn and Patrick Hepburn of Quhitsum, whereby the latter, to assist the clearing off of his debts, sells to the said George Home, the superiority of the lands of Quhitsum for 2250 marks, which is all that now remains to him thereof. The agreement is made in presence and by advice of the Lords of Council and Session, some of whom subscribe it. It is dated . . . 1596.

In connection with this there is another contract dated at Edinburgh and Hawick, 24th and 25th July, 1598, between Sir Walter Scott of Branhholm, knight, and the said George (now Sir George) Home, whereby in consideration of Sir Walter's ratifying, as superior, the charter by Patrick Hepburn of Quhitsom, Sir George obliges himself to pay him £1000 before 15th August next, the payment of which Sir Walter is not to crave until the completion of legal proceedings to be taken by him against the said Sir George and against Hepburn, and their tenants, for removal; and Sir George agrees not to appear in opposition, or if he do, he shall pay the said sum; witnesses, Mr. Gideon Murray, provost of Creichtoun, Andrew Scott, chirurgion, burgess of Hawick, and others. There is also a charter of confirmation by Mr. Gideon Murray, provost of Crichton, as commissioner for Sir Walter Scott, of Brauxholme, of the charter by the said Patrick Hepburn, which is dated at Edinburgh, 26th November, 1596; the confirmation being also dated there, 1st July, 1600.

137. Letter from Sir George Home of Spot, afterwards Earl of Dunbar, to the Laird of Wedderburn, undated but probably in 1596:—

Sir, Itt will pleis you I hawe resawitt your letter, one fra my brother, and wther twa from Thomas Powllis. Acordinge to the effectis tharoff I hawe deltt with his Majeste as off deuittey I awcht till hawe done, being your frende, and hes resawitt ane werry gwd answer. For as to yowr panis his Majeste sayis he sall remember the same to yowr contentementt; and twechinge the reporttis off yowr enemeyis, quho hes callumneath you behynde yowr bake wpone pwre inveye, his Majeste sayis he knawis the nature off the reportis, assuris me the sam wyirkis no thinge to yowr preiewdece becauese he knawis yowr honestey and effectiowne to his serwece. As to your silwer Adam Mathesone hes resawit ane thowsande pownd, quhilke I thinke

sall come to yow with deleience. Conserving this matter that ye wrytt off anentis Baclewche and Sesfurde I have ben werrey depley in hann with his Majeste beffor the resatt off your letteris, and I may answer to yow on my lyffe that ye sall se his Majeste take ane honourable and wyise resolwtiowne thairin. The pertecwler I lewe to yowr mettinge and myne because it is nocht mett to be pwtt in wreytt be me or aney att this tyme, bwtt this mekile, his Majeste hes wpone the reportt off thir matters that Sesfwreds folkis and Baclewche hes don, wreyttin ane werre fectffwle letter to the Qween off Inglande asswring hir off his ernistenes to redrese the matteris and crawinge ane cowrse to be tane preweyle betwix themselfis for delewerry; and in this letter his Majeste promesis that hir Majeste sall be satesffeyitt to hir honowre in all matters proweyding that he may be mett with the lyike, quharin his Majeste owtis na dowl. This letter is wryttin with his Majestis owne hand and onley upone the occatiowne off this slawchetter thatt Baclewche hes made. Qwharffor sen ye may be asswritt off his Majestis gwd mynde ye may the mor asswridley prosede in all gwd offesis in that serwee quharin ye ar imployde; and althowcht I wryt this fare to yow, yett sall itt nocht be mett that aney of yowr companyeownis knau the same, butt lett all reste to yowr selfe exceptt so mekill as ye thinke may ffwrdre the ennde ye wynke in, and in thatt ye may dele with your opposetis as plesis yow, bwtt lett nian knau how fare I have wryttin to yow. I haue cawsitt yowr frend and myne, Thomas Fowlis, conferr with his Majeste att grett lenthe. So with my harteley commendatiownis I committ yow ewer to the Lord. From Halerudhowse the xxij of Apryle, Yowrs to be commanditt, S. G. HOWME off Spott. To the rycht honowrabil The Lard off Wederbwrne, Lord Commesseoner for his Majeste presentley in Carlell.

138. Draft of a Letter by George Home of Wedderburn, Warden of the East Marches, to Sir William Bowes, 1597:—

After our sinderin yisternycht thair came to mynd the sympethie of the adament and the iron quhais desyred coniunction is broken mony tymes be force of hand thocht na force be of power to change thair nathwres, nether cwld necessetie (quhilk now forbiddith our companying together) stay (bot rather) encess the desyre of the samin quhilk for a day ye mycht have helped if ye hayd list; bot we mon pardon, thocht regreit, vetting with appetit the tyme of our secund meeting be Godis grace in the meane tyme unfitting yow be this occasion or as occasion beis offered as absentis may, and wissing your well fair, quhilk I hed rether behold, knawing thair sall yet be a mair comfortble meating na mair to sinder. We reseawed adwer-tisement heir yisternycht from Cwrt approweing our day of meating as ye herd, bot they think we suld begin in Scotland quhar ve mon ather begin or end. His Majestie is to remowe towardis Perth to this Conventione upoun Vednisdey nixt quhairvpon we ar compelled to mak the greater heist towardis ghome. Happily our bwseness may stay a day longer. His

mynd toward the minstre and Edinburgh is rether hopped to change nor changed yitt or thair sum gud apperances. We heir nocht bot that he will had gud hand to this begun redress of ouris, quhais gud wil I luik not to find diminisched be our cuming to him. Mony of our minstre, qha meane not to keip this day, aleging that Hontly his power is to be feared in that toun. We cwlde have na mair of Jok Burne bot his promess, and Andro not vytless, qha wald always have it to be thocht enewch, bot at Cowrt we thinke his Majestie comand a mair fair way be our informatioun, for we will not forget your charge. I mon for want of laser to wryt particwler letteris bwrding yow to mak my hertly commendatioun to my Lord of Ewrse and the rest of your associattis, of qhome we can say thay meane and deall uprychtly with ws, thocht your poyst be of oppinioun that lowe lyk not brewitie. Esteme not ye the less thocht I hawe not mekle paper, hawin with my Laconike costome maid convenient want of tyme, and thairfoir, dewtie remembered, I do in all loving maner wiss yow all well fair and incress of Godis gud giftis with a long happy tyme and gud occasioun to emyloy them to his glorie and the welfair of men bot reshest the faithful. At Wedderburne the xx of Februar 1596. My vyfe vissis rether to hawe sene and herd you nor your commendatioun.

139. Extract (registered 26th January, 1597-8) contract, dated at Edinburgh and Elphinstoun, 1st and 16th May and 30th June 1597, whereby Robert Logane of Restalrig disposes to Sir George Home of Wedderburn, and Jean Haldane, his wife, in liferent, and to David Home, younger of Wedderburn, their eldest son and heir, in fee, the lands and mill of Huttoun, the lands of Bonitoun and keeping of the Castle at Berwick on the water of Tweid, the lands of Horneden, two husband lands in Dunc, two husband lands and a brewland in Lethame, the lands of Nisbitscheillis and Rawburne, two husband lands in Auldhamstocks called the Trimilles, two husband lands in Cokburnspeth, nine husband lands in Coldingham called the Schillistaines, Edwardsounes Lands and Lumsdaines, two parts of the fifth part of four husband lands there called Acrasthland and Aittounes land, the lands of Beapark, twelve cottages in Coldingham, four husband and two cottage lands in West Reston, with the fifth part of lands in Swynewod, four husband and three cottage lands in Renton, eighteen husband lands and one husband land and four acres of land in Auchincraw and Swyneisfeild, and the lands of Paxtoun and fishings thereof on the water of Tweed, with the pertinents of all the aforesaid lands, lying within the sheriffdom of Berwick, together with all the rights which pertained to Sir George Ogilvie of Dunlugas and the said granter as heirs portioners of Fals Castell, but excepting therefrom the house and castle of Fals Castell, with the Mains called Dula, Wester Lumsden, Caldsyde and Dondeholme, with the mill and mill lands of Fals Castell, the lands of Phlemingtoun called Nether Aytoun with the corn and walk mills thereof, the lands of Reidhall, Nether

Byre, Browneslands and Gwnnisgrene and their pertinents, within the barony of Coldinghame. Sir George Ogilvie is a party to the contract, and among the witnesses is David Home, brother german of Sir George.

140. Letter from Sir Walter Scott of Buccleuch, to the Laird of Wedderburn :—

Right Honorable, I am sorye that ye should nocht have rested your selfis a night with me as I loked ye should have done in yowr vaye and returne touardis his Majestie, but the necessitie of the causs ye sett doune in your letter from Selerige this daye maks me to tak it the better. At my being at Court last, as ye vill heer, I was indifferentlye veill taken with all. I know nocht give Schir Villiam Bowes vill alter his Majestie upon any thing that he is to delyver unto him in his Queens naime. I doubt nocht but ye vill all mak report unto his Majestie of my raediness to performe all things that war injoynd unto me sa far as in me laye, and ye vill siclyk vryt unto me from Edinburgh quhat Sir Villiam shall effectuat vith his Majestie baithe in the generall and in the particular concerning my selff. I shall causs sett furthe the proclamacioune in sic forme as it is sent me, albeit I did yesterdaye, upon my conjectur that sic a thing vas necessar, causs in his Majesteis naime set furthe the verrye lyk in substance. It may plaess yow lykvayes to give me your opinwione by your letter quhat curss I shall tak give England shall mak any invasioune upon my boundis, seing the oppositt vardens and I ar nather in spaeking nor vryting termes. Thus, efter my maist hartye commendaciounis and being ewyr readye to requyt your service, I committ yow to God. Hauick, this Frydaye, the 6 of Maij, 97.—Yours assured to his uttermost, (signed) Baclughe. (Addressed) To the Right Honorable the Laird of Vadderbarne.

141. Copy Crown Charter by King James the Sixth, under the great seal, to Sir George Home of Wedderburn, and Jean Haldane, his spouse in life-rent, and to David Home, their son and heir apparent, and his heirs male whomsoever in fee, of the lands of Hutton and others. Dated at Falkland, 12th September 1597. (Described *sub dato* in Registrum Magni Sigilli, No. 618.) Sasine was taken thereon on 15th November following.

142. Agreement between Sir George Home of Wedderburn, Comptroller, and Walter, Lord Blantyre, Treasurer, about provision for his Majesty's house and service, 30th January 1597-8.

At Edinburgh the penult day of Januar the yeir of God j^m v^e fourscoir sevintein yeiris. The quhilk day in presens and at the speciall command of his Majestie and Lordis of Cheker, Walter, Commendator of Blantyre, Thesaurer, and Sir George Home of Wedderburne, knight, Comptroller to our Soverane Lord, have condescendit, appointit and agreit that for the weill of his Majesties service, furthsetting of his Hienes honour and proffeit, and relieff of the debtis awand be his Majestie, ather of thame

being present, or in caise of thair absence thair deputtis and substitutes, sall necesserlie subscriyve all signatoures and preceptis pertening to ather of thair offices, that with the reddiest rentis and dewties of baith the offices thair Majesties houssis and apparrell sall first of all be furnischit and sustenit, and quhiddir of thame debursis for the uther the uther sall recomburse him of the first that cumes in of his office ; quhair thair is neid of credit to anie of the premissis baith sall concur and bind thairfoir conjunctlie, and ather of thame for the utheris releiff. For the better effectuating quhair of his Majestie and Lordis of Cheker foirsaid, being advysit with the straitnes of the band subscriyvit be his Hienes said Comptroller and registrat in the buikis of Cheker, beiring dait at Edinburgh the day of Januar the yeir of God j^m v^c fourscoir sevintene yeiris, and how impossible it wilbe to him to performe his pairt thairof incaise ather the rentis assignit to him within the same be nocht gottin in, or being gottin, be utherwyse imployit be the necessitie of his Majesties affairis nor to the usis within expressit, have thairfoir fund and declairit, and be the tenour heirof findis and declairis, that be the claussis of the said act quhairby the said Comptroller is bund and oblist to delywer yeirlie in Cheker to the Clerk of Register ane sufficient acquittance of threttie thowsand pundis, subscriyvit be Thomas Fowllis and Robert Jowsie, he is na wayis astrictit to onie of the foirsaidis creditouris in onie soirt bot to his Majestie allanerlie ; and that to the performing and fulfilling thairof to his Majestie he is nor salbe na uther wayis oblist nor gif he rassavit the saidis hail rentis assignit to him be the said act, and be nocht compellit to deburse thame utherwayis nor to the usis within expressit belanging to his office of Comptrollerie ; declairing that gif he, doing his exact diligence for inbringing of the saidis rentis, ather ressave thame nocht, or at the leist sum pairt thairof, or having ressavit the same, be forceit be this present band of concurrens with his Hienes Thesaurer or be necessitie of otheris his Majesties affairis or command allowit in Chekker to deburse any pairt thairof to uther usis nor sick as ar set down in the said former act, he salbe na farther oblist anent the said acquittance nor to procure thair discharge of samekle as salbe restand in his hand at the suitting of his compt, nochtwithstanding of the said act and band thairin contenit, quhairunto his Majestie and Lordis foirsaidis makis express derogatioun be this present, quhilk his Majestie and the saidis Lordis ordanis to be registrat in futuram memoriam. Extractum de Libro Actorum Scaccarij per me, Dominum Joannem Skene de Curryhill, militem, Clericum Rotulorum Registri ac Consilij supremi Domini nostri Regis, sub meis signo et subscriptione manualibus. (Signed) Joannes Skene, Cls. Regr.

143. Account Books of George Home of Wedderburn, as Comptroller of the Household. Portions of these only, very much injured and decayed through damp, now remain. The first consists of

Part of a large volume pertaining to the King's Household, beginning with Tuesday, 1st November 1597, and going

on to the 14th, missing the 3d and 4th, then wanting till Thursday, 5th January 1597-8, and going on daily till 31st October 1598, except 29th, 30th and 31st August, and the monthly summary of accounts pertaining to August. These accounts are signed generally daily, during the period extant for November 1597, March, April and May, and September and October 1598, by M. J. ELPHINSTOUN (Mr. James Elphinstoun of Barnton, who had formerly held the office of Comptroller), and during the other months by A. MELUILL (Andrew Melville of Garvock, Master of the Household). They present the daily consumpt of bread, ale, wine, beef, poultry, and other viands by the King and his household, and the names of the chefs in the different departments as marked on the margin are Martin, Robeson, Moir, Lyall, Ronald and Bauchop. Of most interest, however, may be the statement daily of where the Court was and of any special entertainment in which the King was engaged. These are shown as follows—

Tuesday, 1 November 1597. "His Majestie desginit in Dumfermyllyng and daynitt in Lythgow."

Wednesday, 2d. "His Majestie desginit in Lynlythgow and soupit in Carmichael."

Saturday, 5th to Monday 14th, at Dumfreis (hiatus in record).

Thursday, 1st January 1597-8. "Halirudhous, his Majestie all day in Tillibarne and ane number of the tryne at Striviling upon thair wadges."

Friday, 6th January. "His Majestie efter denner partit fra Tullibarne and come to Striviling to supper."

7th and 8th January. At Stirling.

Monday, 9th January. "His Majestie dynit in Striviling and soupit in Lithgow."

Tuesday, 10th January "His Majestie efter denner partit fra Lythquhow and come to Halirudhous to supper."

11th January to 3d February. At Halyroodhouse.

Saturday, 4th February. "His Majestie desginit and dynit in Halyrudhous and soupitt in Lynlythgow."

Sunday, 5th February. "His Majestie soupitt in Sterlyng and tryne at Halyrudhous and dynet in Lythgow."

6th and 7th February. "His Majestie in Strivelyng and ane pairt of the housald in Halyrudhous."

Wednesday, 8th February. "His Majestie dynit in Strivelyng and soupit in Lythgow."

Thursday, 9th February. "His Majestie desgunit and dynit in Lynlythgow and soupitt in Halyrudhous."

10th February to 3d March. At Halyrudhouse.

Saturday, 4th March. "His Majestie desgunit and daynit in Halyrudhous and soupit in Brenteland."

Sunday, 5th March. "His Majestie dynit and desgunit in Brenteland and soupit in Falkland."

Monday, 6th March. "His Majestie desgunit in Falkland and dynit and soupit in Dindie."

7th to 14th March. At Dundee.

- Wednesday, 15th March. "His Majestie dynit in Dendie and soupitt in Falkland."
- Thursday, 16th. "His Majeste desgunit and dynit in Falkland and soupitt in Halyrudhous."
- 17th March to 31st March. At Holyrood, during which period—
- Saturday, 18th March, "Hunting day, The Duik of Hulster dynit with his Majestie in Demmahoy."
- Thursday, 23d March, "His Majestie raid to Huntynge and dynit in Reckcartoun and the Duik of Hulster."
- Saturday, 1st April, "His Majestie dynit in Halyrudhous and soupitt in Lynlythgow."
- 2d and 3d April. At Linlithgow.
- Tuesday, 4th April. "His Majestie desgunit in Lythgow and soupitt in Strevelynge."
- 5th to 10th April. At Stirling, and on Sunday the 9th "His Majestie dynit and soupit upone my Lord of Mar expensis, and tryne upone his Majesteis awin expensis."
- Tuesday, 11th. "His Majestie desgunit and dynit in Strevelynge and soupitt in Lynlythgow."
- Wednesday, 12th. "His Majestie dynit in Lythgow upone my Lord Livenstounis expensis and soupit in Halyrudhous upone his awin expensis."
- 13th April to 18th June. At Holyrood; during which time—
- Saturday 15th April, "His Majestie at hunting."
- Tuesday, 18th April, "His Majestie dynit in Lymphoy."
- Wednesday, 26th April, "Hunting day."
- Sunday, 30th April, "His Majestie maid the bancat to the Duik of Hulster this nycht," and there are entered as received this day from the Laird of Traquair, 8 kids, 15 muir fowl, 2 black cocks, 23 capons, 1 roe, etc.; from the Laird of Dundas, a fed ox; from the Laird of Inverleith, 17 pair of doves; from the Laird of Wauchton, 4 geese and 10 lambs; and from the Laird of Craigiehall a peacock and a pea-hen.
- Saturday, 6th May, "Hunting day, his Majestie dynit nocht."
- Friday, 12th May, "His Majestie after disjoyne pairtit fra Halyrudhous and with his grace the Duik Holstar to denner to Newbottell, and com to Halyruithous to supper."
- Monday, 15th May, "His Majestie desgunit in Halyruithous and dynit in Smettoun and com to Halyruithous bak to supper."
- Friday, 19th May, "His Majestie and his Exceilance at huntyng."
- Monday, 22d May, "His Majestie drank all nycht with the Duik of Hulster."
- Tuesday, 23rd May, "His Majestie soupit with the Duik of Lennokis this nycht."
- Thursday, 25th May, "This nycht his Majestie maid the bancat to the Duik of Hulster"; and there are entered as received this day from Lord Lindsay a fed ox, 3 dozen chickens, 19 capons and 6 lambs; from "Glennorquhar" 3 wild harts;

and from the Constable of Dundee 2 roes, 20 muir-fowls, 8 dottrels, 3 black cocks and 10 kids.

Thursday, 8th June, "This day his Majestie causitt sertane Duchemen be tane to the wyne sellar to drynk."

Sunday, 18th June, "His Majestie raid to Dalkeithe to supper."

Monday, 19th June, "His Majestie dynit in Dalkeathe and soupit in Kreehtoun at halking."

Tuesday, 20th June, "Tryne in Halyruidhous, his Majestie dynit in Crechttoun and soupit in Halyruidhous."

21st June to 2d July. At Holyrood; when it is noted—

Friday, 30th June, "Convensyoün enditt this day."

Monday, 3d July, ". . . . in Halyruidhous and soupit in Lythgow."

4th and 5th at Linlithgow. (There seems to have been a movement on the 5th, but the entry is illegible).

Thursday, 6th July. "His Majestie disjunit in Linlithgow, dynit Kallender and suppit in Striviling."

7th to 9th July. At Stirling.

Wednesday, 10th. "His Majestie dynit in Striviling and soupit in Falkland."

11th to 19th July. At Falkland.

Thursday, 20th July, "His Majestie efter denner pairtit fra Falkland and com to Halyruidhous to super, quhair his Majestie was for the present."

21st July to 23d July. At Holyrood.

Monday, 24th July, "His Majestie dynit in Halyruidhous and soupit in Falkland."

25th July to 13th August. At Falkland, and it is noted—

Tuesday, 8th August, "Conventioun"; also on Friday, 10th.

Monday, 14th August, "His Majestie disjoonit and dynit in Falkland and soupit in Dalkeith."

15th and 16th August. At Dalkeith.

Thursday, 17th August, "His Majestie desgunt in Dalkeithe and soupit in Lythgow upone my Lord Levenstonis expensis."

Friday, 18th August, "His Majestie disjoonit in Linlythgow and soupit in Striviling."

19th and 20th August. At Stirling.

Monday, 21st, "His Majestie dynit in Striviling and soupit in Dumbartane."

Tuesday, 22d August, "His Majestie disjoonit in Dumbartane and soupit in Inchmirrene."

Wednesday, 23d August, "His Majestie dynit in Inchmirrene and soupit in Dumbartane."

Thursday, 24th, ————"dynit in the Castell."

25th to 27th August. At Dumbarton.

Monday, 28th August. "His Majestie dynit in Dumbartane and soupitt in Glasgow upone my Lord Thesaureris expensis, and tryne left in Dumbartane." (Hiatus to 1st September).

Friday, 1st September, "His Majestie in Hammeltoun, and tryne in Glasgow."

Saturday, 2d September, "His Majestie dynit in Hammeltoun and soupit in Glasgow."

Sunday, 3d September, "Glasgow all day."

Monday, 4th, "His Majestie desgunit in Glasgow, and raid to Sorne to the Duik of Lennox brydall."

Tuesday, 5th, "His Majestie in Sorne at the Duik of Lennokis bancat and the tryne in Glasgow."

Wednesday, 6th, "His Majestie desjunit in Sorne and dynit and soupitt in Glasgow."

Thursday, 7th, "Glasgow all day."

Friday, 8th, "His Majestie dynit in Glasgow, and soupitt in Strivelyng."

9th and 10th September. At Stirling.

Monday, 11th, "His Majestie desginit in Strevelyng and dynit in Donypeis and soupitt in Lythgow."

Tuesday, 12th, "His Majestie desgunit and dynit in Lynlythgow and soupitt in Dalkeithe."

13th to 20th September. At Dalkeith.

Thursday, 21st, "His Majestie at four houris in the morning efter disjoyne pairtit fra Dalkeith and raid to Fyiff; hir Majestie at Dalkeith for the tyme."

Friday, 22d, "His Majestie at Falkland; the tryne at Dalkeith."

Saturday, 23d, "The Kingis Majestie com fra Falkland to Dalkeith at nicht."

24th September to 1st October, at Dalkeith.

Monday, 2d October, "His Majestie desginit in Dalkeithe and soupit in Halyruidhous."

Tuesday, 3d, "His Majestie desgunit in Halyruidhous and soupit in Lythgow."

4th to 8th October, at Linlithgow.

Monday, 9th October, "His Majestie desgunit in Lythgow and soupit in Strevilyng."

10th and 11th October. At Stirling.

Thursday, 12th, "His Majestie desgunit in Strevelyng and dynit and soupit in Lynlythgow."

13th to 15th October. At Linlithgow.

Monday, 16th, "His Majestie com fra Lythquow to super to Dalkeith."

17th to 23rd October. At Dalkeith.

Tuesday, 24th, "His Majestie desginit in Dalkeithe, and soupitt in Barintoun upone my Lord Secreter expensis."

Wednesday, 25th, "His Majestie in Barintoun upone my Lord Secreteris expensis and tryne in Dalkethe."

Thursday 26th. (torn.)

Friday 27th, "Halyruidhous, Convensyoun"; also 28th and 30th.

Tuesday 31st October, "His Majestie desgunit in Halyruidhous and soupit in Dalkeythe."

The second portion consists of part of a similar large volume relating to the Queen's Household, commencing about the beginning of April and going on to 31st October 1598, with a gap from 30th April to 24th May. The accounts are of the same nature as those of the King's Household and are attested daily up to the end of July by Sir J. Anstrutheir (Sir James

Anstruther, fiar of that Ilk, Master of the Household to the Queen), but after that day there is no further signing of this account. There is only one change of the Court mentioned in this account. From the beginning to 29th July it is at Holyrood and after that to the end, at Dalkeith. The only incidents noted are as follows:—

Thursday, 25th May, "Bankitt day," and there are entered on this the presentation of 5 capons and 4 lambs from Lord Lindsey, 9 muirfowl, 2 kids and other fowls from the Laird of West Wemyss, and some muirfowl and others from the Constable of Dundee.

25th, 26th, 27th and 28th June are marked "Convensionoun."

Tuesday 11th July, "Hir Majestie dyneit and soupit with my Lord President in his awin hous at Edinburgh; the tryne at Halyruidhous."

Saturday 28th July, "Hir Majestie efter denner pairtit fra Halyruidhous and com to Dalkeith to super; His Majestie at Falkland."

Tuesday 8th August, "Hir Majestie dyneit in Smetoun and soupit in Dalkeithe."

The third portion consists of parts of a smaller folio account book relating to the Queen's Household, and comprehending the dates from 9th to 16th March 1598-9, 15th to 31st May 1599, and 21st June to 12th October 1599. This account is initialled throughout and occasionally signed by "Hary Lyndesay of Carestoun," "H. L. Carestoun," and once or twice "Hary Lyndesay," excepting on 16th, 17th, and 18th May, when it is signed by "William Schaw, Maister of Wark." From 9th to 16th March and 15th to 31st May the Court is at Holyrood; from 21st June to 22nd August at Falkland; from 23rd August to 14th September at Dumfermline, and after that at Holyrood. The following incidents are noted:—

Wednesday, 19th July 1599, "The dames burd erectit up this day agane."

Thursday, 19th July. "The Frensche ambassadour dyneit and soupit with thair Majesties," and this day the Earl of Rothes presented an ox, of which two quarters went to the King's and the other two to the Queen's household.

28th July to 1st August are marked "Conventioun."

Monday, 20th August, "Hir Majestie efter denner raid to Dumbug to super, the tryne at Falkland."

Tuesday, 21st, "Hir Majestie dyneit in Dunbug and come to Falkland to super."

Thursday, 23d. "Hir Majestie efter denner pairtit for Falkland and come to Dumfermeling to super."

Friday, 14th September, "Hir Majestie efter denner pairtit fra Dumfermling and com to Halyruidhous to super."

Sunday, 23d September, "The King and Quene's Majestie with the Frensche ambassadour soupit togider."

With these there is also a fragment of a general Comptrollary Account.

144. Agreement between Sir George Home of Wedderburn, knight, Comptroller and Collector to his Majestie, and Mr. John Preston of Fentonbarns, one of the Senators of the College of Justice, whereby "for the better help and increas of his Hienes patrimony and proper rentis, keping of thair Majesteis houses in a convenient frame and ordour, and furthsetting of his Majesteis service every way in the said offices," the said Sir George denudes himself of the office of "Collectorie and Thesaurary of Augmentations" with the fees and allowances thereof, in favour of the said Mr. John, who pledges himself to assist the said Sir George in his office of Comptroller with his best advice and counsel, and accepts upon him "ane equall cair and burding to sie the rentis pertenyng to that office baith tymouslie brocht in and profitablie spendit, and his Majesteis house and escurie weill furnessit in all necessaries, to the honour and contentment of baith thair Majesteis, and in the said Sir Georges absence sall cairfullie supplie his foresaid office and answer to his Majestie for any faillzie on his pairt." And further, Mr. John is to deliver to the said Sir George all the free rents and profits of the said offices for the relieving of the burdens lying upon the said Comptroller; dated at Edinburgh, 31st October 1598.

145. Letter from George Home of Wedderburn, undated save 11th January, probably 1598; addressed "To my Jane Hadden." It commences "Jane, quhether the Kingis twrnes had moir ned of me heir or my owne ther I vot not, bot for that my owne left mauk hawe mair neid of this informatioun I twirne my pen homevart." He then deals with farming matters and domestic affairs; *inter alia*. "Gar tak a horse or ane ox fra Jhone Orkney till he cum heir and mak his comptis seing he come nocht to me ther qhen I send for him . . . Qhen thou cumis ower amongst uther thingis bring my mekle compt buike with ye to Thorstoun, item my velvot gowne and cloke . . . Remember thy owne journey with sik convenient speid and surtie of thy persone as may be and as wes dederect. Inerveik and I baith compt this mater at a point. I vot not how our dochter is pleased. Alexanders ansuer to his mother in effect ves that he vondered qhy sche swld oppone hir self to that qhilk ves for his veill and qhairwith baith his father and he ver content. As to hir maledictioun he swld not deserve it, and if sche gaive it without deserving it voll lycht on thame sche lowes better nor he. He is of mynd to cum and convoy the if he knew qhen thou cumis to Thorstoun. I vot not how our vork heir vill swceed for besyd many difficolties in the self, the Kingis prodigaletie, etc., thar ar invyeris inventing thortouris and thingis to increse expense. God send all vell and preserve the and all ouris. xi Januar. Thy George Howme."

146. Gift by William, Earl of Angus, Lord Douglas, to John Symsons in Dryburnefurd, of the escheat goods of George Home of Wedderburn within the regalities of Jedburgh Forest, Bonkil and Bothwell, who has been put to the horn at the instance of Archibald Johnstoun, burgess of Edingburgh, for debt; dated at Tamtallon, 23d April 1599.

147. Precept by King James the Sixth and the Council to the Collector for a payment to the Abbot of Balmerino :—

“Collector, ye sall allow to Henry, Abbote of Balmerinoche, in the compt of his thridis, the ministeris stipendiis assignit to thame the yeiris of God j^m v^c four scoir fyftene, four scoir sextene, and four scoir sevintene yeiris, keipand thir presentis for your warrand. Subscryvit with our hand at Haliruidhous the twenty thre day of December 1599. (Signed) JAMES R. (Counter-signed) MONTROIS Can^{rius}, FYVIE, SE^{cat}, P. DÜKELD, M. R. BRUCE, S. R. COCKBURNE, CLS. REGRI.”

148. Extract Contract of Marriage dated at Edinburgh 6th March 1601 (registered 7th March 1607) between John Home of Coldenknowes, and his daughter, Margaret Home, on the one part, and Sir John Ker of Hirsell, knight, and Mark Ker, his eldest son, on the other part, for the marriage of the said Mark and Margaret. She is to be infet in liferent in an annuity from the lands of Hirsell and others; witnesses, James Sinclair of Murkle, John Home of Hutounhall, Mr. James Durehame of Duntarvie, and Thomas Cranstoun.

149. Instrument of Sasine, dated 29 December 1601, in favour of Sir George Home of Wedderburn in the lands of Whitsum, proceeding upon a charter by Mr. Gideon Murray, provost of Creichtoun, as commissioner of Sir Walter Scott of Branhholm, dated at Edinburgh 1st July, 1600. Sasine is given by William Jaffrey, officer in Quhitsum, as bailie, to Robert Innerweek as attorney to Sir George Home; witnesses, George Innerweek, brother of the said Robert, James Innerweek, his son, James Jaffrey, father of the said William, Alexander Crobie and Henry Haitlie, all dwelling in the said town of Quhitsum.

150. Letters of summons under the Signet at the instance of Sir George Home of Wedderburne, knight against William Craig in Leith, sometime Master Browster to the King, for undue intromission with the grain belonging to his Majesty, requiring him to make count and reckoning thereof to the said Sir George within twenty four hours upon pain of rebellion; dated at Edinburgh 25th June 1601. There is a note of execution endorsed bearing that summons was served personally on William Craig by Andrew Home, messenger, on 2nd July 1601; witnesses, William Lauder in Dumbar, George Lauder in Tynninghame, and John Symson in Dryburnefurd. There is also marked that on 15th July 1601 commission was given to the Lord Advocate, the Lord Justice Clerk and the Lord Clerk Register with Johne Foulis and Mr. George Young to hear these accounts.

151. Notarial Instrument narrating that on 27th November 1601, there appeared in the presence of Sir George Home of Wedderburn, as their superior, in the great chamber of the manor of Wedderburn, George Innerwick in Quhitsum, Alexander Crociebie

there, Henry Haitlie there, also Robert Innerweik, John Crawford, James Jaffray, William Wasone, Patrick Dickeson, and Patrick Yallowleis, all feuars there, and made resignation of certain of their lands and pertinents thereof. They acknowledged that they were in arrears with certain rents payable by them for their lands but that "throw the occasioun of the universall sterilitie and barrenness of the haill grund and landis in this cuntrey be the space of thrie yeris syne or thairby, thay war all redactit to sic extreme povertie that thai war urgit to leve thair said lands for the maist pairt unsawin and manwrit," and so were unable to pay their rents, the arrears of which will soon exceed the value of their holdings. To avoid this they have sold so much of their lands to the said Sir George for certain sums of money stated, and of which he is said to have been for some time in occupation. Among the witnesses are James Home, brother german of the said Sir George, David Nisbet in the Mill of Kymmerghame, and William Sampson in Quhitsum. John Horne and John Dewar are notaries. There are tags for nine seals, but fragments of only four remain, one being that of "Patrick Haburne."

152. Discharge by Peter Hewatt, W.S. Prebendary of Kello within the College Kirk of Dunfermline, to Sir George Home of Wedderburne, knight, for 43s. 4d. Scots, as the feuduty of his two husband lands of Darnchester for Whitsunday and Martinmas 1601; dated at Edinburgh 7th December 1601; witnesses, John Symson in Dryburnefurde, John Leiche, servitor to the said Laird of Wedderburn, William Harcass in Edinburgh, and John Ainslie, writer there. There are similar receipts for the years 1586 and 1587.

153. Charter by William Danielston, son and heir of the deceased Mr. Peter Danielston, in terms of a contract between his said father and Sir George Home of Wedderburn, dated at Edinburgh 16th December last, by which he sells to the said Sir George Home in liferent, and to David Home, his lawful son and heir apparent, in fee, his kirklands, these lands called the Preistside, extending to two husband lands formerly occupied by Hugh Nicolson and Cuthbert Currie, with four acres of arable land and the house with tofts and crofts formerly occupied by Mariota Nisbet and Jasper Cairns, her husband, with pasturage for eight sounes of animals upon the moors and bogs of Reulismanis and Sampsons Wallis, belonging to the Laird of Spot, according to use and wont, lying within the parish of Duns and shire of Berwick; but reserving the manse and houses belonging thereto called the Teindhill, with four acres of arable ground adjoining which were occupied by the said late Mr. Peter, minister at the Church of Duns, in terms of the Act of Parliament; to be held of the granter for the annual payment of 40s. for each husband land with 20s. of augmentation, or £6 in all; dated at Edinburgh 26th January 1602, one of the witnesses being John Johnstoun called of Elphinstoun, burgess of Edinburgh.

In the contract above referred to, which is also extant, Thomas Home, brother of George Home of Crammecuik, also disposes his right, as there had been a prior disposition to him on 158 . by the said and his curators, Mr. Thomas Ballindyne and Mr. John Laing and by Jonet Ramsay, his mother, and it is further mentioned that Mr. Patrick Gaittis, minister and parson of Duns, had previously disposed his right therein to the said Thomas Home. The Contract is signed by GEORGE HOUME, WILLIAME DANIELSTOUN and THOMAS HOME, and also by Mr. James Houme, Thomas Dowglas, and George Thomsone, witnesses.

154. Extract Contract of Marriage dated at Wedderburn July 1602 (registered 23rd June 1606) between George Home, younger of Manderstoun, son and apparent heir of Sir Alexander Home of Manderstoun, with consent of his said father, and of Dame Cristiane Erskine, spouse of the said Sir Alexander, and Isobel Home, lawful daughter of Sir George Home of Wedderburn. Her tocher is 8,000 merks, and she is be infeft in the lands of Pressis, four husband lands in Rantoun, eight acres of land called the Grevestyle and Halbank in Coldingham, the 10s. land called Samistanes Croft beside Coldingham and a number of others.

155. Discharge by John Home, lawful son and heir apparent of John Home in Kello, prebendary of the fishings of the West ford of Norham, with his said father's consent, to Sir George Home of Wodderburne, for all dues therefor owing to him by the said Sir George prior to the date hereof; dated at Polwart Place, 28th July 1603; witnesses, John Clapertoun, minister at Lanell, and John Dewar, notary.

156. Obligation by Alexander Fairlie of Braid in which he states that he has obtained the gift of the escheat and liferent of Sir George Home of Wedderburn, for the relief of himself and Mr. George Lauder of Bass, who had undertaken a cautionry for the said Sir George, but that "bearing na evill mynd to the said Sir George, bot onlie seiking our awin relief and nocht willing in ony thing to hurt and dampnefie him" thereby, he promises to transfer the said gift to Sir George whenever he pays them all costs and relieves them; dated at Edinburgh 12th March 1605; witnesses, Mr. Thomas Mairjoribankis, notary, Mr. Harie Stirling, John Symeson in Dryburnefurde and others.

157. Crown Charter by King James the Sixth under the great seal to Sir George Home of Wedderburn, knight, in liferent, and David Hume, his lawful son, and the lawful heirs male of his body, in fee, of certain lands in Eyemouth and others; dated at Edinburgh 22d June 1606, (described *sub dato* in Registrum Magni Sigilli, No. 1761).

158. Extract Contract of Marriage dated at Polwart and other places 14th, 15th and 16th August 1606 (registered 11th March 1618), between James Stirling, eldest lawful son and apparent

heir of Sir Archibald Stirling of Keir, and Anna Home, eldest lawful daughter of Sir George Home of Wedderburn. They are to marry before 11th November next. The lady is to be infeft in liferent in the lands of Keir and others under reservation of the liferent of Dame Jean Chisholm, Lady Keir, mother of the said Sir Archibald, in the lands of Wester Qwoyche and others, and of the liferent of the said Archibald himself and Dame Grissell Ross, his spouse, in certain lands. The lands of Keir being entailed to heirs male, special provision is made for the female children of the marriage. Anna Home's tocher is 18,000 merks, and as cautioners for Sir George's paying this sum there are Sir Patrick Home of Aytoun, Sir John Home of Blakatour, Sir James Foullis of Colinton and John Johnstone, burgess of Edinburgh. There are also, as cautioners for performances by Sir Archibald Stirling, Sir James Forrester of Garden, James Chisholme of Cromlix, Sir George Muschett of Burnbank, and James Kinros, fiar of Kippen. Among the witnesses are, John, Commendator of Holyroodhouse, John Murray of Tuchadam, Richard Cass, writer, John, Earl of Mar, David Home, younger of Wedderburn, Mr. Henry Stirling, servitor to the Laird of Wedderburn, David Muschett, portioner of Murdochstoun, John Muschett in the Mill of Torre and Mr. Henry Kinros.

159. Contract of Marriage dated at Coldenknowes and Wedderburn, 6th March 1607, between David Home, apparent of Wedderburn, with consent of his father, Sir George Home of Wedderburn, and Dame Margaret Home, widow of Sir Mark Ker of Littleden, with consent of Sir John Home of Coldenknowes, her father. They are to marry before 30th May next, and the lady is to be infeft in the lands of Easter Polwart and others; witnesses, James Stirling, younger of Keir, Mr. James Home of Eccles, Robert Home, brother to Sir John Home of Blacader, Harry Home of Moreistoun and others.

160. Acquittance by James Cathkin, bookseller, burgess of Edinburgh, to Sir George Home of Wedderburne for 3,000 merks, in part payment of a sum of £3,901 16s. 8d. due to him by Sir George since 1605; dated at Edinburgh 27th May 1607; witnesses, Mr. George Roull, minister at Langformachus, Mr. Hary Sterling, brother to William Sterling, younger of Ardoch, John Dewar, notary, and Alexander Sinclair, servitor to the said Sir George.

161. Charge under the Signet to Sir George Home of Wedderburn, to compear before the Lords of Privy Council on 19th May next at Edinburgh, upon pain of rebellion, to answer at the instance of Mr. George Lauder of Bass and Alexander Fairlie of Braid for not observing the contract made between them on 6th January 1598, while the said Sir George was Comptroller; dated at Edinburgh, 5th April 1608.

162. Obligation by Mr. James Home, brother german of Sir George Home of Wedderburne, promising that as his said brother has given him a presentation to the benefice of Hilton, he will

not trouble him nor his heirs in anything they possess pertaining to the said benefice, nor alter the present duty, nor set tacks of any part of the benefice without their consent. The deed is written by the said Sir George at Wedderburn, on 11th May 1609, and signed, Mr. JAMES HOUME.

163. Contract between Sir George Home of Wedderburn and John Home, portioner of K . . . , with James Home, portioner of the Newton of Quhitsum, his brother, whereby for a certain sum of money, the said John Home surrenders the three husband lands and the infeild of another husband land, extending to six acres of arable land, with the pertinents, which he acquired from the deceased John Thurbrand and Walter Small, portioners of Quhitsum, and which are now possessed by James Jaffray, in the hands of the said Sir George Home, as superior, to the end that the property may be consolidated with the superiority; and the said James Home surrenders all right he has to that husband land which sometime belonged to Robert Innerweek in Quhitsum, and which he made over to his said brother; dated at Polwart Place 5th August 1609. Andrew Home, brother of the said George Home, is a witness.

164. Acquittance by John Boge, master-porter to his Majesty, to Sir George Houme of Wedderburne, knight, Comptroller, for his fees for the years 1597 and 1598 (amount not stated); dated at Edinburgh, 26 November, 1609; witnesses, Mr. David Houme, brother of Sir George; James Sinclair, his servitor, and Mr. Robert Boyd of Kippe.

165. Contract between Sir George Home of Wedderburn, knight, and David Home, his son, as principals, with John Duns, portioner of Grueldykes, as cautioner for them, and Walter Clinkskail at Wedderburn Mill, with Thomas Clinkskail, his son, as follows:—The Clinkskails, having lent 2,000 merks to Sir George Home, he is to secure them for their lifetimes in the said mill and pertinents, and in all the lands lying between the said mill and the east and west rigs of the croft of land called Bruntrig, with pasturages and other pertinents presently occupied by them. Further, and among other things to be done by them, Sir George and his foresaids are to provide “sufficient oxin and wane to bring home the myln stans to the said mill in due time whenever necessary under a penalty of £10 for each failure.” The grant is made subject to reversion, and is dated at Wedderburn, . . . November, 1609.

166. Acquittance by Oliver Donaldson, usher before his Majesty's meat, to Mr. Harie Sterling, in name and behalf of Sir George Home of Wodderburne, knight, Comptroller to his Majesty, for £66 13s. 4d., in full of his fee of £73 6s. 8d. for the years 1597 and 1598; dated at Edinburgh 15th March 1610, and signed by the discharger and witnesses.

167. Extract (registered 15th November 1610) Deed of Submission, dated at Edinburgh 30th May 1610, by Dame Margaret

Home, widow of Sir Mark Ker, younger of Lytledene, and David Home, apparent of Wedderburn, now her spouse, on the one part, and by William Home, brother german of Mr. Robert Home of Carelsyde, as principal, with Mr. John Home, his brother, as cautioner, on the other part, to the friendly arbitration of Sir Richard Cockburn of Clerkington, knight, Lord Privy Seal, of the action at law between them respecting the teinds of Lyntoun and others. This is followed by his Decreet Arbitral in which he finds the said William Home due 600 merks to Dame Margaret Home for the teinds with which he has medled.

168. Discharge by Sir William Cokburne of Langton, knight to Sir George Home of Wedderburn, knight, for 3,500 merks as the tocher promised by him with his lawful sister, Janet Home, now deceased, on her marriage with the discharger's father, the also deceased William Cokburn of Langton, their contract being dated 1579; dated at Langton, 9th March 1611; witnesses, Mr. Samuel Sinclair, minister at Langton, Alexander Cuik, and Adam Cokburne, brother of the discharger's father.

169. Discharge by Mr. Mungo Rig of Carberry to Sir George Home of Wedderburn and David Home, his son, for 5,200 merks, being the tocher still due to be paid by the said Sir George, with Elizabeth Home, his lawful daughter, and wife of Walter Ker, son and heir of John Ker, of Faldinsyde, in terms of their Contract of Marriage, dated at Wedderburn, 27th March, and at Coldingham, 4th April 1611, and for payment of which Sir James Foulis of Colintoun, knight, and John Hume of Blakater were cautioners. George Ker had assigned the debt to the said Mr. Mungo Rig. The discharge is dated at Prestonpanns, 27th December 1611; witnesses, Mr. David Home of Godscroft, Mr. John Ker, William Ker, brother to the said George, and Mr. Alexander Scharp, pedagogue to Mr. David Hume's bairns, who wrote the deed.

170. Protestation by Sir George Home of Wedderburn, made at Dunse on 20th February 1612, on the occasion of the serving of Alexander, Lord Home, as nearest and lawful heir of the deceased Alexander, Lord Home, Great Chamberlain of Scotland, his "grandschir" (great grandfather). As chancellor of the assize he protests that notwithstanding of this service no retour shall be made by the clerk of court in respect of the forfeiture and of Lady Samelston as heir to him until the chancellor of the said inquest were first satisfied upon that point; to which the purchaser assented. (Signed) ALEXANDER CUIK.

171. Acquittance by Mr. Patrick Galloway, minister of God's Word, acknowledging the receipt from Harie Stirling, servitor to Sir George Home of Wedderburne, knight, sometime Comptroller to his Majesty, of £200 as the balance of a sum of £400 assigned to the discharger for his fee as one of the ministers of his Majesty's house for the years 1597 and 1598; dated at Edinburgh,

18th March 1613 ; signed, M. P. Gallouay and Rechar Lawssoun, vitnes.

172. Acquittance by Mr. James Donkesone, son and executor of his deceased father, John Donkesone, minister to his Majesty, to Sir George Home of Wedderburne, knight, for £200 Scots, which was due to his said father of his fees, and for which Sir George had taken allowance in his account while in his Majesty's service as Comptroller ; dated at Prestonpans, 20th August 1613. Signed by M. I. Duncanson, minister at Allaway, and witnesses.

(8). Mr. DAVID HUME of GODSCROFT.

173. Note in an old hand of some "Evidents of Lowcaschell borrowed from Lady Bass by the Lauder of Poplehall consent."

1. Transumpt dated February 20th. 1458, by Henry Ogill, lord of Hertramwood, under the hand of Robert of Lynthquow, notary, of Glasgow diocese, of a charter granted by George of Dumbar, Earl of March and Lord of Annandale and Man, to Henry of Ogill, for his good and faithful service, of his lands of Lowcaschell within the parts of Lambyrmure, to be held of the granter for payment of a pound of pepper annually in name of blench farm if asked. Dated at Colbrandispeth 8th August, 1370 ; witnesses, John, Earl of Moray, the granter's brother ; Sir James of Douglas ; Walter of Haliburtoun, and Patrick of Hepburn, knights ; John of Edmistoun and Philip of Nisbet.

2. Retour of the special service of Henry of Ogyll as heir of Alexander of Ogyll, his father, in one carucate of land in the town of Pople, two husband lands called the Hyndhauch, one carucate of land of Hartramwood, and one carucate of land called Lowchastell, all within the earldom of March ; and which are valued respectively in time of peace annually, Pople at 6 merks, Hyndburgh at 40s., Hertramwood at 6 merks, and Lowcasschelis at 40s., but now on account of the common war are waste. They are held of the King as Earl of March blench for payment of one penny yearly if asked at the feast of the nativity of John the Baptist, save that Lowcasscheill pays a pound of pepper. They have been in the hands of the Crown for three months. The retour was exped on 3d November 1437, before George Grahame, steward of the Earl of March.

3. Instrument of Sasine, dated 30th April 1479, in favour of Henry Ogill, eldest son of James Ogyle of Pople in the lands of Pople and Lowcasheills, proceeding upon a Precept of Sasine by Alexander, Duke of Albany, Earl of March, etc., dated at the Castle of Dunbar 28th April, which narrates that the said James Ogle made resignation of the lands. Sasine is given by David Lyle, as steward in that part, at the manor of Pople ; and among the witnesses are William Douglas of Quhytengeme, knight, and William, his son.

4. Retour of the special service of Patrick Ogill to his father, Henry Ogill, who was killed under the King's banner about three months previously, in the lands of Pople, commonly called St. Maurier lands, and the lands of Lowcassheills, with pertinents, in the sheriffdom of Berwick, exped before William Sinclair, as sheriff in that part, at Haddington, penult day of February 1513.

174. Tack by Archibald Earl of Angus, Lord Douglas, Dalkeith and Abernethy, to his well beloved servitor Master David Hwme, in recognition of his "guid, trew and thankfull service done to us in tyme bygane," and "to geve him the better occasioun to continew thairin in tyme cuming," and to his heirs and assignees, of the lands and steading of Wester Brokhoilis, with pertinents, in the barony of Bonkill, for nineteen years after his entry thereto, which is to be at the expiry of the five years tack he already has thereof, which is dated at Edinburgh 22d July 1586, for the annual payment of twenty-four merks; dated at Annand, 11th July 1588; witnesses, James Douglas of Torthorwald, Hew Nisbet, the Earl's servitor, and George Inglische, servitor to the said James. Signed by Angus and the witnesses.

175. Receipt by Mr. David Home, brother german of George Home of Wedderburn to the said George Home for all rents and arrears due to Sir Hewe Hodson, prebendary of Upsetlintoun, for the yearly duty of the fishing of the West Foord, dated at Edinburgh, 8th February, 1588-9; signed, "DAVID HOUME, James Pringill, vitnes, David Nesbet, wetneis."

176. Contract dated at Wedderburn in August 1594, whereby Mr. John Hume, brother of George of Wedderburn, disposes to his brother, Mr. David Hume, the lands of Goddiscroft and Lukascheill; witnesses, Alexander Sinclair in Kimmerghame, George Spens, writer in Edinburgh, and others. Signed, JOHN HUME, DAVID HOUME.

177. Charter by the said Mr. John to the said Mr. David, his brother, and to Barbara Johnstone, lawful daughter of James Johnstone of Elphinstone, his future spouse, and the survivor of them in liferent, and the heirs of their marriage, whom failing, the heirs whomsoever of the said Mr. David, heritably, of the lands of Loukiescheill, with pertinents in the barony of Poppillhall by annexation, and within the sheriffdom of Berwick; to be held of the granter and his heirs under William Ogle, fiar of Poppellhall, and his heirs, for payment to the latter of 40s. yearly; dated at Elphinstone 28th September 1594; witnesses, Robert and John Johnstone, brothers of the said Barbara. Signed, JOANNES HOUME, and also by the witnesses. Sasine followed hereon 30th October 1594; and there is a Charter of Confirmation of this grant by William Ogill, lord of the fee of Poppillhall, dated at Fearstoun on 21st July 1599, signed by the granter and witnesses.

178. Discharge by William Ogill of Poppillhall to Mr. David Hume of Goddiscroft for £5 as the feu for Lucassheill; dated at

Edinburgh, 1st December 1608; witnesses, Mr. George Rewll, minister at Longformacus, David Home, brother to Patrick Home of Law, and William Home, portioner of Hutton.

179. Discharge by Matthew Leddall, "minister of Christ his Ewangell at Sanct Bothans," to Mr. David Hume of Godhiscroft, for Martinmas, 1608 and Whitsunday, 1609, in part payment of his services at St. Bothans; dated at St. Bothans, 10th July 1609.

180. Summons at the instance of David Home, brother german to Sir George Home of Wedderburne, and Barbara Johnnestoune, his spouse, against John Home of Nynewallis, Andro Home, his son and apparent heir, James Home in Chirnesyde Mains, Bartilmo Sampson in Nether Mains, William Raph, William Watson and William Cant there, Paul Aitchesoune, Thomas Smyth and John Richartsoune in Chirnside, Patrick Home *alias* Laird Home, Lancelot Home, Mark Home, his son, William Wallace, bailie, and William Wallace, messenger, heritors, feuars and tacksmen of the lands and barony of Chirnsyde and Cockburnspeth, with reference to the Marches of Lukiescheill; dated at Edinburgh, 8th June 1610.

181. Minute of Agreement between Mr. David Hume of Godscroft and John Forman and John Watson in Chirnsyd, 14th October 1610, as follows:—1. The said John Forman and John Watson acknowledge that they have done wrong in molesting the said Mr. David Hume within his marches of Lowkiescheill, and for the satisfaction thereof have come in his will, promising to pay to him before 1st November next, such sum as he shall appoint to them by David Nisbet of Kymmerghame Milne, not beyond 200 merks, "and that freelie, voluntarily and with their blissing." 2. To obviate the said Mr. David being put to further legal proceedings and expense respecting the marches foresaid and his entry to the adjacent common "callit of Chirnsyd," they agree that the marches claimed by him shall be as follows:—"From the fut of Qhuytburn to the head thair of throw the moer callit Bellie Struther to the hie gait and yond the gait to the Fallay Birk and fra that wp the Cleugh a straight lyn to Lowkie Scheill cors quhilk is at the meiting of the twa gaites above and be north Lowkie Scheill, than out the gait to the Hors Cleuch head and down the cleugh to Qhuerbairn and down Qhuerbairn to the fut of Qhuytburn forsad." They also grant that if they or their cotters transgress with their cattle, or in pulling heather or casting fuill or dirt within these marches, the said Mr. David may seize their cattle and horses and carts and use them at his pleasure; and they hereby discharge, as far as concerns themselves, the caution found by the said Mr. David for non-molestation of the men of Chirnsyd. 3. They will use their endeavour to obtain the consent of the Earl of Home hereto. 4. These things being done the said Mr. David shall press his legal proceedings no further against them nor seek further money payment; but in the event of their not being fulfilled, he

shall be free to put his decret obtained against them fully to execution. This agreement, which is written by the said Mr. David, witnessed by the said David Nisbet, and David Home of the Law, and signed JOHNE FORMAN and D. HUME, is to be extended and registered. On the back there is a Discharge signed by D. HUME acknowledging his having received £10 from John Forman and £20 from John Watsoo; Dated at Wedderburn, 26th March 1611.

182. Renunciation by Lylias and Martha Haldane, daughters of the deceased Mr. John Haldane of Glennageis, with consent of Barbara Johnstoun, their mother, and the said Barbara, with consent of Mr. David Home of Godscroft, now her spouse, for her interest, in favour of Sir George Home of Wedderburne, who has paid to them the redemption money of 3,000 merks Scots, of his three husband lands in the territory of Darnchester, sometime occupied by Ninian Purves, elder and younger, Rodolffe Kinghorn, Alexander Kinghorn, and William Wychtman, commonly called Crokrig Mains, which on 30th September, and 3rd October 1602, he wadset to the said Barbara in liferent and her said daughters in fee; dated at Prestoun, 22nd May 1611; witnesses, Mr. Patrick Gaittis, minister at Duns, Johnne Gaittis, his son, and John Dewar, notary. Signed by BARBARA JHONSTOUN, D. HUME, LILIAS HALDEN, MARTHA HALDANE, and the witnesses.

183. Acquittance by William Ogill of Hartrinwood to Mr. David Home of Gods Croft for £3 Scots, due by him for Luckischeill for the years 1614 and 1615; dated at Prestoun, 22nd July 1615; witnesses, George Wood of Newmylne, and John Home, lawful son of the said Mr. David.

184. Summons at the instance of Mr. David Home of Godscroft, against William Ogill of Harthranwod, in which it is narrated that the deceased William Ogill of Harthranwood, father of the said William, by his discharge dated at Edinburgh in June 1606, acknowledged the receipt of 40 merks, as the feu duty of Lowkiescheills since the complainer's possession, and as for the entry of Mr. John Home, his brother german and predecessor in the said lands; and that he also obliged himself and his heirs to receive the complainer and his heirs as feu-tenants therein by confirming any charter right thereof granted to them by the said deceased Mr. John Home. This was not done by the said deceased William Ogill before his death, and his son now refuses to fulfil his father's obligation. Dated 2nd February 1616.

185. Protest by Mr. David Home of Godscroft at the riding of Chirnside Common. 1619:—

Vicesimo quinto die mensis Augusti millesimo sexcentesimo decimo nono; the quhilk day in presens of me notar publick and witnesses underwrittin personallie compeirit Mr. David Home of Godscroft at the fuird upon the burne callit Quhairburne nixt abone the burne callit Quhytburne quhair the gait that leidis

frome Strath fontainis croces over the burne callit Quhairburne, quhair ane nobill and potent erle, Alexander, Erle Home, accompanyit with sindry gentilmen and commonis war ryiding the Commoun of Chirnsyid, be Alexander Purves and Johne Richard-sone, maillers in Chirnsyid, and Michael Henry in Cokburnispeth and James Young thair, all deeplie sworne and appoyntit for ryiding of the said Commoun; and thair the said Mr. David alledgitt that the ryiding of the said men from the croceing of the foote of Quhytburne was wrang, as being all that far space within the said Mr. David his marches of Loukascheill; as also the said Mr. David alledgitt that the fuird nixt abone Quhyteburne was callit Dunbar fuird, nather was thair ony uther fuird on that water that caryid that name, and that thairfoir be thair writtin raid of the Commoun, quhilk they producit and red, bearing from Dunbar fuird, to the Quhyte Croce they aucht to ryid na farder on Quhairburne, bot leve itt and goe to the said Quhyteroce; and that thairfoir quhairver they raid farder up Quhairburne it was contrair to thair awin wrytt; becaus, as the said Mr. David alledgitt that the Quhyteroce was at the heid of Quhyteburne frome quhilk it had the name of Quhyteroce, and the said gaitt leiding also directlie to itt; quhairas the Croce they pretendit to ryid to was Loukascheill Croce, to the quhilk lykewyse he alledgit was na gaitt, meith nor merche but throuche the said Mr. David his medow and corne of Loukascheill; and thairfoir the said Mr. David alledgit that the said raid was wrang and contrair to the said writtin raid, and protestit in open audience of the said nobill erle and remanent gentilmen that the said raid suld nawayis be prejudiciall to him in his severall of Loukascheill; and thairwpon the said Mr. David askit publict instrumentis at me, notar publict wnderwritten, in presens of the said nobill erle, William Arnot of Cokburnispeth, Mr. Alexander Kynneir, minister at Quhitsome, James Home off Eist Mainis, Cudbert Johnestoun, cousing to the said Mr. David, and Asserchane Home, sone to the said Mr. David, and Mr. Timothee Rouchlaw, notar publict wnderwritten. Signed by the notary.

186. Extract Bond dated at Godscroft 1619, (registered 26th March 1627), by Gilbert Johnestoune, son and heir of the deceased Mr. John Johnestoune in Carlaverock, in which he narrates that Mr. David Hume of Godscroft gave to his said father infeftment in an annual rent of 120 merks out of his lands of Godscroft, Malcolmescheill and Loukiescheill, but that his father got no money therefor, it being done for satisfaction of a bond, and the bond for a promise "frelie and liberallie maid by Barbara Johnestoune, Ladie Gleneglis, spouse to the said Maister David, and sister to my umqwhile father, to umqwhile Elizabeth Haldane, my mother," and that his said father was bound to have granted a reversion to the said Mr. David and his heirs. Now, for the good will he bears to the said Mr. David and his said spouse, he promises that whenever he is paid by them or their heirs the sum of 1,200 merks within the kirk of Dunes, he will renounce the said infeftment and annual rent. Witnesses,

James Home, son to the said Mr. David, and Mr. Thomas Trumbull, his servant.

187. Acquittance by Thomas, Earl of Melrose, Lord Byiris and Bining, and Mr. David Home of Goddiscroft for £37 10s. Scots, as the tack duty of the teinds of Darnchester for 1626, allowing eleven bolls two firlots of victuals paid by Mr. David to the minister at Cauldstream; dated at Edinburgh, 14th March 1627. Signed, MELROS with my hand, and by witnesses.

188. Letter, Thomas, Earle of Melrose to Mr. David Home of Godscroft (holograph).

Sir, By your letter of the 26 of Februar which I have at this houre received, ye first crave my opinion anent your intention to pursue for redresse of the wrong ye resent done to you by the messengers who tooke you, wherin in respect of the qualitie of the persons and busines I can not give yow assurance of that reparation which your grief may make yow exspect; and for the publicke exemple it may better be provyded for by the Counsell, when it sall be soght by parties who may urge it with more convenience nor your present case may permit yow.

Your next desire is to have my consent to your assignation to your tak to any of the friends ye have nominat whom I lyke best. I much respect all the gentlemen and will be content to give my consent to your assignation to be made to the Laird of Blacader or Glennegies, provyding they be bound to me in such termes as ye are. Farder I can not do at this time till solide order sall be taken in all busines of that teynd by the Commissioners appoynted by his Majestie to that effect. So wishing yow all happines I rest, Your assured friend at power, MELROS. Edinburgh, 1 March. (Addressed) To the right worshipfull Maister David Home of Godscroft.

189. Statutes of the Barony Court of Godscroft, 1629:—
“The Barone Court of the baronie of Godscroft haldin within the Plaice of Godiscroft upoun the aucht day of August 1629 yeiris, be Mr. David Home, barone of the said baronie, and Patrik Home, bailie therof.

The quhilk day the said Mr. David Home electit and nominat Patrik Millar, nottar publict, clark of the said court, during his will and pleasour, and the said Patrik maid faith *de fidei administratione officii de super acta*.

The quhilk day it is statute and ordanit that the haill tennentis and servandis within the said baronie sall keip the preachingis and haill ordouris of the Kirk.

The quhilk day it is statute that na tennent nor servand sall goe to Strathphontain miln with na corne to grind, without leve askit and gevin, undir the paine of xxs. Scotis for ilk failzie, *toties quoties*.

The quhilk day it is statute and ordanit that corne, medow and haining sall be keipit undir the paine of iiij*d*. ilk scheip by and attour the apprysing of the skayth, and so uther sowmes effeiring so oft as thai cum wrong.

The quhilk day it is ordanit that na persone or personis goe ovir dykis to break down nor goe any way within the wood undir the pretence of gathering stikis and woll, nor sall not gather stykis nor woll without leive askit and gevin, ilk persone undir the paine of vjs. viiij*d.* for ilk failyie.

The quhilk day it is ordanit that no persone hurt, injur or miscal other in deid nor word undir the panis following,—blood, the commoun forme, 1 lib.; straik with stalff, wand or baton, xx lib.; with hand straikis, x lib.; brag, v. lib.; provocatioun in word xls.; and flytting xxs., *toties quoties*.

The [quhilk] day it is statute and ordanit anent the cutting of wood that the first falt sall be xx lib., second falt, xl lib., and sua furt according to the Act of Parliament.

The quhilk day it is lykewayes statute that na guidis be out of foldis or housis in the night, fra corne begin to saw till the corne yaird stoxe be steaked; pain, befoir midsomer, ane nichtis lair in corne, ane firliit corne; out of the corne being out of foldis or hous, half firliit corne; eftir midsommer being no corne, half boll corne; out of the corne, ane firliit.

Witnesses to be ressavit for proveing the breaking of the foirsaidis actis anent the woid, haining, keeping, dykis ganging over and stykis gathering, whosoever sall say it on their conscience, lad, lass, man or woman that thaj saw the samin.

The quhilk day it is ordanit that everie servand be obedient to his master in all turnis that are lauchfull, and incaice he disobey in any lauchfull turne, he being bidden thairto, to pay xiijs. 4*d.* Scotis for ilk failyie, *toties quoties*.

The quhilk day is lykewayes ordanit and statute that the tryall of all the foirsaidis faultis sall be befor the said Mr. David Home himself or his baillyie, evin without court, and the partie that sall be convict in any falt befoir mentionat sall bring the poynd himself, and if he failyie he sall double the samin poynd in quhilk he is convict in *toties quoties*; and gif the said Mr. David Home caus ane uther to poynd, gif thaj deforce him, to pay xl lib. *toties quoties*.

The quhilk day the baillyie decernis and ordanis Johne Shereff, youngar, and Johne Shereff *alias* of Monenet to big Patrik Thomsonis house or els the said Patrik Thomsone to be frie and quyt of all service dew be him to thame (Signed) D. HUME. Ita est Patricius Millar *alias* Houstoun, notarius in premissis, teste manu, (Signed) P. Home." There is also added the fining of John Gibsone in Godscroft in £20, for cutting Mr. David Home's wood, because he refused to give his oath thereupon, and of John Shereff, younger, in £10 for striking John Wodderit, for the same reason.

190. Gift by King Charles the First to Robert Hammiltoun, brother of the Laird of Prestoun, of the escheat goods of the deceased Mr. David Home of Godiscroft, through his being put to the horn on 28th June 1622, at the instance of James Aikmane, merchant burghess of Edinburgh, for a debt of £492

11s., with £50 of expenses, besides interest and penalty, contained in a bond by Erchie Home, son to the said Mr. David, as principal, and the said Mr. David as cautioner for him, dated 20th May 1620. Given under the privy seal at Holyrood, 4th April 1631.

191. Renunciation by Mr. John Home, eldest son now on life of the deceased Mr. David Home of Godscroft, to enter heir to his father, and that in favour of Dame Marie Home, Lady Arniston, to whom Sir David Home of Wedderburn has assigned the bond he holds over Godscroft and other lands; dated at Edinburgh, 1st March 1632.

(9).—SIR DAVID HOME OF WEDDERBURN, 1616–1650.

192. Renunciation by the sisters of David Home of Wedderburn of their parental provisions:—

We Margrit and Marie Homis, sisteris to David Home of Wedderburne, renunsis all intris or claem we have to our fathrs tesment, becaus he nomenat his soun executor; and also we be thir presentis quytis all outhir provision med to ws, and trustis to our brother his doing for ws as we sall deserve at his hand; quhilk we testifie be this our subscriptione of thir presentis written be our brother the 24 of March 1617; befor thir wittnesis, David Nisbit and Mark Home. (Signed)

MARGRET HOME, MAREI HOUME,
Daniel Nisbet, witnes; Mark Houme, wetnes.

193. Licence under the Signet to David Hoom of Wedderburne to pass beyond seas for three years; dated at Edinburgh, 3rd April 1617. (Signed) AL. CANCELLS, J. MAR, GEORGE HAY, TULLIBARDINE, BINNING, W. OLIPHANT.

194. Retour of the special service of David Home of Wedderburn, as heir of the deceased Sir George Home of Wedderburn, knight, his father, in the lands of Wedderburn, Hiltoun, half lands of Kymmerghame, Quhitsum and the Church lands of Quhitsum, Ramrig and Greinsyd, the fishings of Upsetlington upon the Tweed, the lands of Handakewod in the Forest of Dy, Kettleschiell and Dranscheil, and two husband lands in Darnchester with their respective pertinents, all lying in the sheriffdom of Berwick. The retour was exped in the Court house of the burgh of Dunse on 10th April 1617, the jury being, Sir Patrick Home of Aytoun, Sir George Home of Manderstoun, Sir John Home of Huttonhall, Sir John Home of North Berwick, Archibald Douglas of Tofts, Sir Walter Ker of Fawdonsyde, Robert Swyntoun of that Ilk, Sir James Hamilton of Redhall, Sir Patrick Chirnsyde of East Nisbet, Alexander Nisbet of that Ilk, Mr. Richard Douglas of Easter Brokholles, John Home younger of Aytoun, William Home of Graden, James Home of Quhitchester and James Cokburne of Newbigging.

195. Instrument of Sasine, dated 7th June, 1617, in favour of David Home of Wedderburn in the lands and barony of Hiltoun, proceeding on a precept from Chancery dated at Edinburgh, 6th

June 1617, which states that he has been served heir to the deceased Sir George Home of Wedderburn, his father, in these and other lands. Sasine is given by Robert Cockburn of Blackismiln as depute of Alexander Home of Renton, sheriff-principal of Berwick. John Home, clerk of St. Andrew's diocese, is notary.

196. Charter by Hugh, Lord Loudon with consent of George Campbell of Killoche as his heir male apparent and of provision, to Margaret Hume, lawful daughter of the deceased Sir George Home of Wedderburn, knight, his future spouse, in liferent, of the lands of Mossdavill and Dykefeild, with the tower presently occupied by Annabella Wallace, Lady Mossdavill, and her tenants, in the lordship of Kylesmuir, bailiary of Kylestewart and shire of Ayr; with certain other lands in the same district. This he does in fulfilment of his contract of marriage with her of the same date, into which he enters with consent of his said heir, and she with consent of Sir John Home of Blakater, Sir George Home of Manderstoun, Sir Walter Ker of Fawdounsyde and Mr. David Home of Godscroft; dated at London, 11th October 1617; witnesses, Mr. George Walker, preacher of the Word of God at the Church of Auchinleck, Matthew Campbell, brother german of the said George Campbell of Killoche, and others. She was infest in the said lands on 28th October following, Archibald Dunbar, brother german of David Dunbar of Enterkin acting as bailie, and Colin Campbell, son of the deceased William Campbell of Greenock Mains as attorney; while among the witnesses were John Walker, bailie in Newmilnes, John Aird, schoolmaster there, and Robert Brown, son of Robert Brown, in Quarterhouse.

197. Precept of *Clare Constat* by John Home, portioner of Kello, and one of the prebendaries of the Collegiate Church of Dungallass, for infestting Sir David Home of Wedderburn, as heir of his father, the deceased Sir George Home of Wedderburn, in the fishing of Upsetlington, dated at Dunce, 2nd February 1619; witnesses, Thomas Home in Kello, David Nisbet in Kymmerghame, and Andrew Rucheid, son of the deceased Thomas Rucheid, burgess of Edinburgh. Sasine was given thereon on 15th February thereafter by delivery of a boat, net and oar; witnesses, Adam Unius, senior, in Upsetlington, Jeremia Sanderson there, James Sanderson, his brother german, and Thomas Jaffray, lawful son of Cuthbert Jaffray in Ramrig.

198. Deputation by James, Earl of Home, Lord Coldinghame and Dounglas, and Marie, Countess of Home, his mother and tutrix, on the occasion of their going out of the country, to Sir David Home of Wedderburn, to take order with their vassals, and tenants in any questions or controversies between them, and to use as assessors therein Sir John Home of Blaketour, and Sir George Home of Pinkertoun; dated at St. Martins Lane, near London, 5th November 1619; witnesses, Mr. John Home, Laurence Home, and David Sinclair, servants of the granters

There were similar deputations granted on 27th August 1618, and 18th October 1624, the latter dated at Tuckinham Park.

199. Tack for seven years by Sir David Home of Wedderburn, knight, to Ninian Home in Home, who has paid him 5,000 marks for the same, of the teind sheaves, teind wool, and teind lambs of the half of the parish of Gingilkirk (Channelkirk) belonging to the said Sir David by virtue of a tack thereof from the Commendator of Dryburgh to the deceased Thomas Lowthiane, excepting therefrom the lands of Colilaw and Over Howdene for which during the liferent of these lands by Katherine Lowthaine widow of . . . Heriot of Colilaw, fifty merks are to be paid yearly to the said Ninian Home; dated at Wedderburn, 3rd January 1620; witnesses, Mr. David Home, of Godscroft; Mr. Alexander Home, sometime parson of Pincartoun; James Cockburne of Newbigging, John Home, son natural to Mr. James Home, parson of Hiltoun; and Abraham Home, son lawful to the said Ninian Home. Ninian Home cannot write and signs by the aid of William Strachan, notary.

200. Discharge by Sir James Dundas of Armstoune, knight, to Sir David Home of Wedderburn, knight, for 10,000 merks, as the tocher due with Marie Hume, wife of the said Sir James, and sister of the said Sir David, in terms of their Contract of Marriage, which is dated 11th July 1619. The discharge is dated at Arnistoune, 28th November 1620; witnesses, Mark Hume, servitor to the said Sir David, and Ninian Chirnside, and George Winram, servants of Sir James Dundas.

201. Letters of Reversion by Sir David Home of Wedderburn, knight, to his loving uncle, Mr. David Home of Godscroft, and Barbara Johnstone, his spouse, who have disposed to him the lands of Godscroft, Lowkiescheill and Wester Brokholes, with their tacks of the teind sheaves of Darnechester, and an annual rent of 1,400 merks belonging to the said Barbara paid to her by James Haldane of Gleneagles and Sir Walter Ker of Faldounside. Sir David grants that he paid nothing for this disposition, but received it in return for becoming cautioner for them for certain sums of money, and he promises that, so soon as he has been paid or relieved of his cautionary, he will renounce these lands and deliver back the writs; and further that he will not meanwhile make any disposition thereof; dated at Polwart Place, 29th December 1620; witnesses, James Cockburne of Newbigging, and Abraham Olry, servitor of the said Sir David Hume of Wedderburn.

202. Tack by James, Earl of Home, Lord Coldingham and Dunglass, with consent of Dame Marie, his mother, of the teind sheaves of the lands of Kello, Kello (?) Bastell, Reidloch, and Kymmerghame, in the lordship of Coldingham, to Sir David Home of Wedderburn, knight, for his lifetime, and the lifetimes of two heirs to him in succession and for two periods of nineteen years after their deaths; in terms of a decreet-arbitral pronounced by Sir John Home of Blackadder, knight, and Sir George

Home of Manderstoun in a dispute between the deceased Alexander, Earl of Home, father of the said James, on the one part, and the deceased Sir George Home of Wedderburn, knight, and "our guid friend," Sir David, his son, on the other; dated at the Canongate, March 1621, Mr. John Home, provost of Dunglass, being a witness.

203. Charter by Hugh, Lord Loudon, to Lady Margaret Home, lawful daughter of the deceased Sir George Home of Wedderburn, knight, his spouse, in liferent, in the 50s. lands of Glaister, the 27s. lands of Foulpossill, the merk land of Gemmilsland, the merk land of Burnflate, the 7s. 6d. land of Burnmouthe, the 20s. land of Gilfute, and the £5 land of Newmynles, lying in the barony of Lowdown: dated at Mauchleine, 4th May 1621; witnesses, David Dunbar of Enterkyn, Colin Campbell, brother of Duncan Campbell of Glenlyon, and others.

204. Factory by James, Earl of Home, Lord Dunglas, and Marie, Countess of Home, his mother, "being myndit to remove out of this cuntrie of Scotland toward Court" appointing their "loving cousing, Schir David Home of Woderburn," their factor for managing their concerns; dated at Fleuris, 23rd August 1621.

205. Contract dated at Edinburgh 20th June 1622, whereby Sir David Home of Wedderburn, knight, sells to Patrick Quhytlaw, merchant burges of Edinburgh, and Helen McMorran, his wife, for 8,000 merks, his lands of Kettilscheil and Dronescheil in the parish of Greenlaw and sherifdom of Berwick; and they not being disposed to labour these lands themselves, grant a lease of them back again to the said Sir David, who is to pay 800 merks yearly as the rent thereof; and his cautioners for doing so are John, Lord Erskene, Sir John Home of Blacadder, knight, Sir Walter Ker of Fawdonside, knight, Alexander Home of Quhytlaw and Peter Home of Harkeas. The witnesses to the contract are Gilbert Johnstone, son to Mr. John Johnstone of Elphinstone, Robert Hamilton, brother to the Laird of Preston, and others.

206. Discharge by Mr. Andro Ramsay, minister of Eymouth to Sir David Home of Wedderburn, for 50 merks, which he promises either to repay or to allow in part payment of his "steipand" in Eymouth for this present year, 1623; dated at Edinburgh, 20th November 1623.

207. Note of obligation by "Dam Julian Ker, Cuntese of Munrese" (Melrose), to Sir David Home of Wedderbourne in 250 merks, which she promises to pay before the end of March next; dated at Edinburgh, 20th February 1624; witnesses, Mr. Keirstell Cokbourne and Thomas Symsons. Signed, JULIANE KER, also Mr. Christopher Cokburne, witness, T. Symsons witnes.

208. Charter by Archibald Stewart of Ardgowan to Lady Margaret Home, widow of Hugh, Lord of Lowdown, in liferent, of the lands of Blackhall, in Renfrewshire, in terms of their

Contract of Marriage; dated at Newmylnes in Lowdown, 16th July 1624; witnesses, Mr. James Greg, minister at the church of Loudoun, Mr. John Heriot, minister at the church of Blantyre, George Campbell of Greenock Mains and James Campbell, his son.

209. Commission under the Great Seal to Sir David Home of Wedderburn to be Sheriff principal of Berwick, until 1st August 1625; dated 25th August 1624.

210. Charter by Sir David Home of Wedderburn, knight, to Sir John Home of Blacader, knight, of the lands of Quhitsum, to be held blench of the granter. The charter contains precept of sasine directed to Robert Atchisone, in Blacader and is dated at Wodderburn, 23rd October 1624; witnesses, Mr. David Home of Godiscroft, Gilbert Johnstoun, lawful son of the deceased Mr. John Johnstoun, called of Carlaverok, and John Dewar, notary in Duncce.

211. Notarial Instrument narrating that on 27th December 1624, Sir David Home of Wedderburn went to Dame Julian Ker, Countess of Melrose, and offered her 3,700 merks as a year's interest of a sum due by him to her, and that she refused to accept it saying "that it was not tyme of year now eftir Yuill to pay annuel-rent quhilk sould have bene payit at Martimes last"; and that he replied that the fault in this respect was with herself, seeing she had appointed Mr. Alexander Moresone and Mr. Robert Home to meet him at Edinburgh at an appointed time which they did not keep. This was done within Chouslie Hall about 3 p.m.; witnesses, the said Mr. Robert Home, William Home, servitor to the said Sir David, and William Home, son to Robert Home, son to Robert Home, farmer in Wedderburn; John Dewar being notary.

212. Account of Sir David Home of Wedderburn to Exchequer of his receipts and expenses as Sheriff of Berwick from 31st July, 1624 to 30 July 1625. He succeeded Sir John Home of Blackadder in this office.

213. Objections by Sir David Home of Wedderburn to the composition of the joint Committee for settlement of the Tweed Fishery dispute between him and Lord Walden:—

"I object against English Commissionairs, November 1625, Roger Widdrington can not be ane indifferent judge becaus he is my Lord Walden's man, beeng his factor and having the charge of his haille estait in Northumberland.

Harie Shaftone can not be ane indifferent judge becaus he hath the halfe of Berrington of my Lord Walden, worth yearly about 40 or 50 lib. sterling.

I object against the Scots Commissionairs.

My Lord Cranston is not fit to be ane nor his soune, Sir Jhone, becaus of grudges and eielistes betuix thame and me of a long tyme.

I desyre the commissione in sik termes as after dew tryell right may have place tho' possessione have beenne interrupted

by negligence or fishing sandet by flouds or perhapes ane over renting power oppressing a waker partie.

I desyre also that what ever meanes of probatione the ane partie desyreth to be prodused whilk can be qualified be the oth of the haver or by any other lauffull meanes to be in his authoritie or pouer, the same not prodused it may be waleid to prove the allageance.

I desyre that in evrie thing the commissione be conseved in equall termes for both nationes, and that what ever preveledges the English hath in thair ounne syd in the lyk cace we may not be depryved of the lyk.

214. Discharge by Uchtred MakDouell of Mondurk, to Sir David Home of Wedderburn, knight, for 600 merks, being the interest due for the year 1625 upon a sum of 6,000 merks due to Marie Hamilton, now the discharger's spouse; dated at Wedderburn, 2nd June 1626; witnesses, George Stirling of Keir, younger, George Home, son of the said Laird of Wedderburn, and John Fortone.

215. Instrument of Sasine dated 17th January 1628, in favour of John Home, lawful son to Sir John Home of Blacader, knight, and his heirs and assignees, of the lands of Wedderburn, and others; proceeding upon a precept from Chancery in which it is narrated that the King had granted these lands to the said John Home, together with these parts of the lands of Hilton called Dykitheid and Wetherlairs (of which the property belongs to the said John Home himself), also the lands of Brounslands, Horndean and Hutoun, two husband lands in Cockburnspeth, ten husband lands in Graden, the lands of Gowancruke, fifteen acres of land in Pilrig, the lands of Paxtoun, nine husband lands in the territory of Coldingham called Steils lands, Edwardsons lands and Lumsdens lands, two parts of the fourth part of the four husband lands in Coldingham called Airslands and Aytounlands, the lands of Beapark, twelve cottage lands in Coldingham, seven husband lands and a cottage land in Eymouth, four husband lands and two cottage lands in West Restoun, the fifth part of the lands of Swynewood, four husband lands and three cottage lands in Rentoun, eighteen husband lands and one husband land and four acres of land in Auchincraw and Swynewood, all in the sheriffdom of Berwick, together with the teinds, and the fishings in the sea and water of Eye belonging or annexed to the said lands; as also the lands of Flemyngtoun called Nether Atoun, Billieland, Ridhall, Netherbyer, Brounsland and Gunisgrene, with all their teinds, fishings and pertinents whatsoever; which lands were judicially appraised from Sir David Home of Wedderburn at Edinburgh on 4th January 1626, and disposed to Captain John Monteith and his heirs and assignees in payment of a debt of 13,800 merks and 690 merks of sheriff fee, and which the said Captain John Monteith on 27th September 1626, assigned to the said John Home. Sasine is given by Robert Jaffray in Blacadder as bailie; witnesses, Sir John Home of Blacadder, knight, Robert

Home of Crocerig, his brother german, William Simpstone, gardener in Wedderburn, and others.

216. Discharge by Robert Seatoun, servitor to George, Earl of Winton, Lord Seatoun, to Sir David Home of Wedderburn, narrating that the said Sir David and his deceased father, Sir George Home, obliged themselves by bond dated 20th November 1616, to pay to the deceased Mr. Andrew Ramsay, minister at Haymouth, during his residence and serving the cure at the Kirk thereof, 300 merks yearly, which bond the said Mr. Andrew Ramsay assigned to the discharger on 12th June 1623, who understands that the said Sir David has satisfied the said Mr. Andrew for all the years prior to his death, and therefore he discharges the said bond but without prejudice to Barbara Seatoun, widow of the said Mr. Andrew; dated at the Canongate, 23rd January 1628.

217. Bond by Sir David Home of Wedderburne, knight, obliging himself, as he is to receive £29 6s. 8d. of English money monthly for three months, from William, Earl of Morton, Colonel, for the entertainment at 6d. per day of "fourtie tua men of these souldiouris who cam from befor the Rotchell," to pay them their wages weekly, and to have them in readiness at the expiry of the three months or at an earlier date, on eight days notice, at Leith, to go wherever it shall please the said Earl "for his Majesties service or service of any uther prince or state his Majesties friendis"; and for any of the men who should withdraw from the number, to furnish as many sufficient men, under the penalty of doubling the pay received by him for them, or at least to produce bond by the soldiers so absenting admitting themselves to be punished as fugitives, and the money not paid to them; dated at Whythall . . . January 1629. Not signed.

218. Notarial Instrument narrating a promise made by David Home in Ramrig on behalf of himself and Alesone Home, his mother, that the not valuing of the houses of Ramrig at the present shall not be prejudicial to Dame Marie Home, sister of Sir David Home of Wedderburn, with respect to her redemption thereof and of the lands of Deidrig and pertinents on payment of 500 merks and the principal sum of 14,000 merks. This Instrument is taken by George Home, younger of Wedderburn, in the hands of John Dewar, notary, on 14th May 1630, in the dwelling house of the said David Home; witnesses David Nisbet in Kymmerghame, William Home in Kymmerghame Mill, and Cuthbert Jaffray in the Ladykirk. There is also an Instrument of Resignation of these lands by David Home, son and heir of the deceased Alexander Home of Stainerig, and Alison Home his mother, made by their procurator, Mark Cass, son of Richard Cass of Fordell, in the hands of Sir David Home of Wedderburn, as superior, in favour of Dame Marie Home, Lady Arnistoun, in the Tolbooth of Edinburgh on 29th June 1630; reservation being made of a Reversion of the said lands granted on 11th June 1624, by the said deceased Alexander Home of Stainerig, and Alison Home, his spouse, in favour of the said superior.

219. Letter from the Countess of Home to the Laird of Wedderburn :—

Alace, good coussing, God knoweis with what deficulitie I gait a word uttereit to yow in this subjeck, bot your awin sone can tell you when he tuik his lewe of my deir chyld what was his last dying remembrance to yow. Boith myself and the rest of myne haiff ewir exteameid yow as on of our deirest freindis. Now is the tyme to expresse your lowe boith to the lewing and to the dead. And for your name giff I be not als cairfull of that as any of your selfis can be thane let nothing prosper with me, so it may stand in the persone of my owin chyld, wther ways it can never be a hous, as I can be able to mak yow all perfytlie sie. Thairfor schowe your self forward and kynd and yow sall feynd it salbe for kynd and thankfull peaple, and that yow sall haiff moir power with all thane ewir yow haid with any in that hous. We may challance moir kyndis from yow thane any; for as your hous has ewir bein the most honnourable and most worthie of any that ewir com of that ancient raice, so it hes ewir beine most faythfull and most kynd, and, I am confident will so continue in you; assuiring you that you sall ewir fynde me and all myne, your trew, faithfull kind frend, M. HOME. Aldersgait Street, the 15 of February 1633. (Addressed) To my honnourabill and much respeckit coussing, Sir David Home of Wodirburne, These. (Endorsed) Countess of Home to Wedderburn.

220. Contract of Sale by Sir David Home of Wedderburn, knight, Sir John Home of Blacader, knight, and John Home, apparent of Blacader, his eldest lawful son, with consent of Mr. Archibald Haldane, Constable of the Castle of Edinburgh, as donator of the escheat and liferent of the said Sir David, to William Home, indweller in Wedderburn, for 7,000 merks, of the lands of Quhitsum called the Voulte of Quhitsum, with the manor place thereof, and other pertinents, under reversion; dated at Edinburgh, 23rd November and 11th December 1633; witnesses, George Home of Bedsheill, Alexander Home of Stainerig, Abraham Home of Kennetsydheids, Robert Home, servitor to the Countess of Haddington, and others.

221. Tack by Mr. David Home, minister of the parish of St. Marie called Upsetlington, to Sir David Home of Watherburne, knight, and his heirs and assignees, of the teinds of the lands of Ramrig and Greinsyde for three years from 15th September instant for payment of £100 Scots yearly, and relieving the granter of any extraordinary burdens to which the said lands may be subjected "sick as vphalding of the kirk and queir, furnissing of the elementis of breid and wyne to the holie communion proportionalie according to the raitt of the rest of the landis lyand within the said parochin;" dated at Watherburne, 11th September 1634; signed, Mr. D. HOME, minister and persone at Ladykirk.

222. Charter by George Home, younger, of Wedderburn, with consent of Sir David Home of Wedderburn his father, and of Katherine Morrison, his wife, also of Sir Robert Spottiswoode of Donypace, knight, President of the College of Justice, William Dick of Brayd, and John Morrison, merchant burgess of Edinburgh, his friends, and of Archibald Haldane and David Sinclair, as donators of the escheat of the said Sir David, whereby he sells to William Trotter, merchant burgess of Edinburgh, and his heirs and assignees for 40,425 merks, the lands of Wedderburn, with the mill, mill lands, manor place and pertinents thereof, in the parish of Duncie and sheriffdom of Berwick; to be held of the granter under the King for payment to the King of one penny in name of blench yearly, but under reversion; dated at Edinburgh, 30th March 1636.

223. Contract of Marriage dated at Wedderburn 1636, between Mr. John Dickson, minister at Kells (for whom Robert Dickson of Buchtrig becomes cautioner), and Beatrix Home, lawful daughter of the deceased Sir George Home of Wedderburn, knight, with consent of Sir David Home now of Wedderburn, her brother. The said Mr. John undertakes to redeem the four husband lands in Quhitsumlaws which formerly belonged to the deceased Robert Dickson of Buchtrig, and now pertain to Mr. Robert Home, minister at Allmfuird (from whom he is to redeem them), and obtaining himself infeft, he is thereafter to infeft his said future spouse therein. She brings with her a tocher of 2,000 merks. Witnesses, Mr. Alexander Kenneir, minister at Whitsome, Thomas Sympsone in Dryburnefurd and others.

224. Scroll of an Assignation by Alexander Keith, writer, to George Home of Wedderburn, undated but *circa* 1638, narrating that by Contract of Marriage dated 14th August 1635, between John Wishart, eldest lawful son of William Wishart, parson of Restalrig, with consent of his said father and Elizabeth Keith, his wife, and Elizabeth Home, lawful daughter of Sir George Home of Manderston, with consent of her eldest lawful brother, Sir Alexander Home, knight, one of the gentlemen of his Majesty's Privy Chamber, and of Dame Marie Home, Lady Arniston, her mother's sister (which marriage has since been solemnized), the said Sir Alexander Home promised a tocher with his sister of 10,000 merks; and failing in payment of this, he caused George Home, younger of Wedderburn, as principal, with James, Earl of Home, as cautioner, to subscribe a bond, dated 11th April 1637, as part of the price of the lands of Manderston, in favour of the said William Wishart, who assigned the same to the said Alexander Keith, and he now assigns it to the said George Home of Wedderburn.

225. Copy of a Letter from the Committee of Estates in favour of the Laird of Wedderburn:—

Right Honorabill, We wnderstand the Larde of Wadderborne payd deire for and hes good right to the Barony of Flymingtoun,

stoke and teind, and was in possessione tell in hes absenc at Rotchell and in Howland the Lard of Rentone got new takis and some advantag in law, and Wadderborne being prosses to gett hes tytle declared and repossesseone, was in hope to have caryed it befor this, bowt the cownrsse of jwstice being interrupted and uncertene when a legall way should be patent, drect his sounne to pwt himself in possessione thes yeire which allso is done and doing; which we takeing to our consederatione and that warand is givene to intromett with anticovenanters estatis, doe thinke feitt that nothing be done to the Lard of Wadderbornis prejudice bot rather to hes futherane of onything he clames right to, and commandis givene to such who have authortie to intromett with the same or ther factors that they controvert not nore come in compeione with Wadderborne or hes fators or servantis in that they clame. For if hes right shold not prove good we thinke he will be allse compable to the Estat as the factors for any intromisseione, who also hes gevene band to us in the casse forsaid; in doing wherof your lordship shall obleg us to conteneue your lordships affectnat frindis and servandis.—Necastell, 12th Decmbr. 1640.

226. Precept of Clare Constat by William Naper of Wright's Houses, in favour of George Stirling of Keir, knight, as heir of Lady Anna Home, lawful daughter of the deceased Sir George Home of Wedderburn, his mother, in the eight husband lands of Mellerstaines, on the west side of the tower, thereof, which she apprised from the deceased Robert Lummesdane of Ardrìe. Undated and unsigned, but *circa* 1640-50.

227. Extract from the Register of the Kirk Session of Innerwick of the baptism of George, son of George Home, younger of Wedderburn, at Innerwick kirk on the 21st February 1641, by Mr. William Forbes, minister there; witnesses, Lord Ker, the master of Forbes, and the young Laird of Blaikater. The extract is dated 17th June 1658, and signed by Patrick Anderson then Session clerk.

228. The Laird of Wedderburn's regiment in 1644.

Compt of the Merse Regiment under the Laird of Wedderburne. The quarters frae the 28 December, the first day of the randivous at the Craemur till the 20 day of Januar whilk day they croced Tweed at Berwick, including both dayes.—

Item, the said regiment consisted for the first	<i>lib.</i>	<i>s.</i>	<i>d.</i>
fourteine dayes, to witt, from the 28 December			
inclusive till the tent Januar inclusive of four			
hundreth souldiers, at everie ane 4s. be day, <i>inde</i>			
for the said 14 dayes is eleven hundreth and			
twentie pounds	...	...	...
	1120	0	0

Item, the said regiment frae the 11 day of Januar			
inclusive, the day of ther secund last randivous,			
till the 20 thairof inclusive, being 10 dayes, con-			
sisted of sex hundreth men, unto everie ane four			
shilling be day, <i>inde</i> for the said ten dayes ane			
thowsand twa hundreth pounds,	...	...	...
	1200	0	0

Item the said regiment had billeted in the Merse at that time nyne leuvtendants at everie ane twentie shillings be day, *inde* for the said twentie four dayes twa hundreth and sexteine pundis, is ... *lib. s. d.* 0216 0 0

Item, nyne ensignes at ilk ane 16s. be daye is for the said 24 dayes is ane hundreth threscor twelff pundis sexteine sh. ... 0172 16 0

Item, eghteine serjands at everie ane eght shillin be day is for the said 24 dayes ane hundreth threscor twelff pundis 16s. ... 0172 16 0

Item, nyne drummers and twentie sevin corporalles at euerie ane fywe sh. 4d. be day is for the said twentie four dayes is twa hundreth and threttie pundis eght shilling ... 0230 8 0

Item, the regiment quartermaster the said space.

This is the just accoupt of the quarters of the said regiment (the Captanes pay and ther awin charges) frae tyme of the first randivous till ther going to England, and was payed in ther severall quarters be Williame Home of Linthill, Comisser, and doth in the haille extend to

As witnesses the subscription of Leuutenant Colonell George Home, fear of Wedderburne, in absenc of his father, the Colonell.

I, George Home, fear of Wedderburne, Leivetenant Colonell of the Merse Regiment of the first levie under the cummand of Colonell Sir David Home of Wedderburne, my father, be thir presents testifie and declair thatt ther hes beine put out be the said shyf first and efterwards to the said regiment the number of men, who war all provydit of levie money and baggage horse conform to the publick ordour, (and that besyd thees put out of the bailliarie of Lawderdail who war not under the said regiment), in witnes quhairof I have subscribed thir presents (in absence of my father) at £3112 Os. Od.

229. A List of Wedderburn's Company, 1644.

Waderburne, captaine	James Brounfeild, levetennant
Alexander Hoge, serjant	Thomas Hoge, serjant
William Rule, corporall	Thomas Gibsone
John Robertsons	George Dicksone
Thomas Yonger	John Rairnbairne
James Clarke	Patrick Naire
Thomas Vaich	John Abernethie
Gavine Ford	Patrick Grant
Thomas Tomsone	James Thripburne
Nichol Johnsons	Alexander Suenstoune
James Dicksone	Pat. Tailzore
John Tomsons	Patricke Nicholsone
John Monilaues	Alexander Frainch
James Robertsons	Robert Hope
James Wilsone	Robert Brounfeild
William Uhitlie	George Turner
Nichole Dods	John Tairie

John Miller
 John Dowglass
 William Laurie
 George Wilsone
 Thomas Craicke
 John Broune
 George Sheill
 John Gilliess
 William Smith

William Haire
 Richard Scott
 Alexander Lamb

Richard Edgar, ensigne.

Picks.

Patrick Lumsdaine, corporall,	Alexander Troter
William Dicke	William Home
Thomas Wilsone	James Ridpeth
Thomas Taite	George Ridpeth
William Bell	John Pringell
John Ogilvie	James Short
William Currie	Harie Broune
Thomas Broune	William Rose
George Caumon	David Hislope
John Hope	
James Tomsome	
George Turnbull	

230. Instrument of Sasine, dated 8th January, 1645, in favour of Isobella Home, eldest lawful daughter of Sir David Home of Wedderburn, knight, and future spouse of Aulay McAulay, in liferent, in the lands of Easter and Wester Ardincaple, the lands of Laggan, Kirkmichael, Drumfad, and others, under reservation of the liferent of Margaret Montgomerie, spouse of Walter McAulay of Ardincaple, father of the said Aulay, in terms of the charter thereon, dated at Edinburgh 18th July 1644. Sasine is given by Archibald Bonteine, fiar of Geillistoun, as bailie, to Walter Stewart, lawful son of Sir Archibald Stewart of Blackhall, knight, as attorney; witnesses, Robert Hamilton of Barnes, Thomas McAulay, W.S., and others.

231. Agreement between the gentlemen of Berwickshire, viz., James, Earl of Home, Sir David Home of Wedderburn, Sir Patrick Hepburn of Waughtoun, John Home of Blackadder, Archibald Johnstoun of Huttounhall, John Home of Nynwallis, Henry Carmichael of Eldrome, George Auchinlek of Cumlege, . . . Home of Linthill, Patrick Home of Bromehous, and Mr. Alexander Kinnear, parson of Whitsome, for themselves and for all other heritors and others having right to the lands, fishings, and mills upon the Water of Whittater, adjacent to the work after mentioned, on the one part, and John Sleiche, mayor of Berwick, George Temple, Richard Selbie and Stevin Jacksoun, bailies of Berwick, for themselves, and as commissioners authorised by the town of Berwick, on the other part, as follows:-- There is to be a dam built by the town of Berwick for their intended manufactory upon the Water of Whittater, but which is

to be so low in the middle that the course of the fishing may not be interrupted either in summer or winter, and that above the "crope of the wall" there may be a few inches of running water a Scottish ell in breadth. It is to be constructed at the sight of neutral persons appointed by the Committee of Estates of Scotland. The town of Berwick engages that the water so dammed shall not be used for any other purpose than for "manufacturie walkmilns" as is now intended, and specially that no corn mills shall be erected hereon. Moreover the said town renounces all right of fishing upon the said water either or above or below the said dam, but shall allow the fish to pass freely to the over water, and shall make use of no creels, pock nets, or other instruments for fishing the said water in the close of the said dam or anywhere else; and consents that if these conditions be transgressed the dam shall be demolished and broken. On these terms the said gentlemen give their consent and licence to the town of Berwick to make the dam.—Dated at Duncie, 24th March 1645; witnesses, Alexander Home of Halliburton, Robert Craw of East Reston, and Mr. Alexander Belsches of Tofts; signed by the mayor and bailies of Berwick and by A. Swintoun, sheriff principal of Berwick, and five of the gentlemen named.

232. Presentation by George Home of Wedderburn, as patron, in favour of Mr. Adam Weddell, student in divinity, to the parish church of Whitsome, to be held by him as the same was possessed by Mr. George Davidstone, last minister there and now deceased; with a request to the Bishop of Edinburgh to cause him to be taken on trials and admitted in due course. The document is neither dated nor signed. c. 1648.

233. Letter from Sir Alexander Home, Gentleman of his Majesty's Bedchamber, to (address not given but probably to Sir David Home of Wedderburn):—

Hage, March $\frac{1^s}{8}$, 1649. Sir, These are in answer to yours by this bearer, Sir Joseph Douglas, of whom I had the 20 rex dolers you sent amounting in Dutch money to 50 guilders, which I have according to your order, bestowed on 15 Dutch ells of black shiffe such as people of quality heer use for sute and cloak, this being to be lined with baise which you will finde better and cheaper at Edinburgh than here. The shiffe cost 3 guilders the Dutch ell, which makes 45 guilders. The other 5 guilders I have bestowed on a pair of gloves of the best kind that is to be had here that goe, as you may perceive by the paper, for Roman gloves, but I dare not assure them to be very right for if they were they could not be afforded here for twice the money. I send you only one pair not knowing how they will please or fitte your hand worne above a pair of white gloves as the maner is. . . . For all passages here I shall remitte you to the bearer, who if he doe not bring with him all the satisfaction that can be desired there, it shall neither fail in my wishes nor my indeavours. He hath expected and I hope will obtaine a letter from the King in answer of that he brought from the Parliament there; yet some thinke in regard their letter required no answer, but

referred all matters to commissioners that were to come after, the King may deferre his writing until they come, which advise may chance to be followed. But I am very confident nevertheless, when the commissioners come, if their proposalls be not very unreasonable, they will find the King apt to comply with them, having, to my knowledge, very good inclinations to our nation and great hopes that their service will be above all other earthly men usefull to him for recoverie of his right in England; wherein I wishe and hope they may not deceive his expectation, but remember the duty they owe to their soveraigne whois race hath so long reigned over them, and be sensible of the dishonour it will be to them if they do not to the last drop of their blood endeavour to revenge that horride murder of the best King and most innocent man that ever lived or dyed since the death of our Saviour. And they may be confident those bloody traitors, whatsoever they may pretend, will aime at nothing more than to swallow up our nation, which it is too probable they may be able to doe, if they do not lay aside all spleen and private respects and joyne unanimously in this publick cause. As for my coming to Scotland I should gladly doe it if the King come so I could be secured from trouble for debts that I stand engaged in for my father and myself. But I do not know how that can be in regard of the Act of Parliament prohibiting all protections. Of this I shall be glade to have your opinion with the first occasion of any passager that comes from thence; and so remitting all occurrences to the bearer, I remain, Sir, Your most affectionat nephew and humble servant, A. HUME. (On the back) For your self.

234. Charter by King Charles under the great seal to George Home, son of George Home, younger of Wedderburn, and his heirs male and assignees whomsoever, of the lands of Brounlands and others. Dated at Edinburgh, 23rd March, 1649 (described *sub dato*, in Registrum Magni Sigilli, No. 2015).

235. Notarial Instrument under the head of Robert Pow, notary, dated at the Little Mill Croft at Eymouth, 25th June, 1649, narrating that Matthew Hunter in Eymouth, as procurator for George Home, younger of Wedderburn, and John Gray, elder, Walter Stewart, and John Grewe, all portioners of Eymouth, went in company together with James Allanschaw, common nolt herd of Eymouth, who was driving "the ky keepit be him the heaway by the said Littill Miln Croft and the Littill and Meikill boagis of Eymouth thair to pasture, feid and keip the samyn cattell" upon the grazings there as common to the said town and as having been so used for many years past without hindrance of any, that Alexander Home of Blakhill, also portioner of Eymouth, with his servants appeared and refused to permit the said persons and cattle to pass to the said bogs; and that thereupon the said procurator took instruments that this was a breach of the act of lawburrows maid by the said Alexander Home to the said George Home; witnesses, James Ellom in Healawis,

Adam Dunlop in Eymouth, Archibald Zeman there, and John Brown in Aytoun.

236. Fragment of an Act of the Committee of Estates ordaining pay and maintenance to be given for one hundred men, with officers, raised within the shire of Berwick by Sir David Home of Wedderburn, since 18th May last, they being then on foot before the discharge; dated 28th June 1649; signed by A. JHONSTON, CLS. REG.

237. Discharge by Mr. Andrew Ramsay of Witsome to George Home, fiar of Wedderburn, for 195 merks, which, allowing the retention, completes the payment of one year's interest, viz., from Whitsunday, 1648, to Whitsunday, 1649, of the principal sum of 3,000 merks due by Sir David Home of Wedderburn and him to the discharger and Marie Fraser, his spouse. Dated at Edinburgh, 23rd July, 1649; witnesses, Mr. William Ramsay, fiar of Witsome, the discharger's son, and Mr. James Cheyne, writer.

238. Letter by George, fiar of Wedderburn, to Sir Alexander Home of Manderstoun:—

Sir, Hewing the occasione off this beirer I cannott bott regratt thatt I newer heir from yow. Yowr aune particular bissness requirs yowr presence heir. I doutt nott bott or this ye hew hard howe my Lord Mare, my Lord Kellye, Mr. Peatrik, ovr cousing, and Mr. George Trotter, hes all of them dispouned ther rightt ttoe my unkell, Jhone Hum of the Ninholles (and iff I be nott far deceived ther will be as good condicones gott off him as them, and the sounner the better). Thir eiwell tymes menes burdings ar nott lowk tto, and iff ther be nott soum speidy cours taken itt is lyklye thatt I shall be much prejugged altho my nem be only oussed thatt ye knaw I newer deid intromett with ony thing. So desyring tto knaw yowr mynd anentt this particular and in quhat I can I shall ewer be readye, altho nott so ebell as I wald tto shaw myselff as becoumes me, Your ewer most affectionat cousing to serw yowe, G. HUME. Wadderburne, 3 Mairche, 1650. Addressed—For the Right Worshipfull Sir Alexander Hume off Manderstone.

239. Testament of George Home, fiar of Wedderburn:—

Be it kend tto all men, quharas itt heath pleased God tto imploy me in publik scharg and we being in heard off our lywes dayly thatt in ceace itt shall pleis God tto call me outt off this lyffe, then and in that ceace I leiw my beloved wyff, Keathering Morisone, full powr tto dispone off all belongs tto me and tto do in ewery thing for my schiltering as I war presentt myselff, and tto seik adwice and consentt of my' feather, the Laird off Bleakeder, his brother and my unkell, the goodman of Nynholles, and to dispone and prowyd for ewery on as scho and they sall think fitt. In wittnes quharoff I hew writinne and subscrywed this with my anne hand att Thurstone, 17 of July 1650; wissing God tto geiw a blssing tto itt. And lykwas desyrs that hir sounne may be

obedientt tto hir quhen he comme tto yeirs. So agen and agen recommending them all tto God's protectione, endes. (Signed) G. HUME. Abowe all lett all my schilldering be brougtht up tto feire God and in good coumpenye.

240. Letter by George Home, fiar of Wedderburn, to his wife, two days before his death at Dunbar:—

Deir Sueitt heartt, I doutt nott bot ye hev hard of owr mearching. The ennymie now lays in Heddingtone, and this day hes cott soum cannone; yeisterd ther was soum los bott nott many, presed be God, this scrimmiging; soum and the most peartt thinks he is retyring bott otheris thinkis and I to he will nott retir till he feaghtt. My man Dunken hes lost my horse. I hew nott sentt Peatrik away as yitt, neather mynd I till I sie how things goes; we think he expectis a recrutt. God derect us, and me.—Your ever most affectionatt husband till deathe, (signed) G. HUME.—Neir Clarkingtone, Lygere, 1 of September, 1650.—My deir heatt, treitt your selff weill. God derect you and littell once. I know not quhatt to for my horce, and I think mair to bott the horce is gone. If we can itt is thoughtt we will feaght or att leist scrimmish this nightt.—Sum says the ennymie is fleing.—Recuw this I should give itt yowe, bott forgett. (Addressed) For his very weill beloved, the Lady Wadderburne, thees.

241. Testament dative of Sir David Home of Wedderburn, who died in 1650, given up by Katherine Morrison, widow of George Home, younger of Wedderburn, as executor dative. His estate, consisting of household goods and other property, is valued at £1,213 6s. 8d.; with certain rents and other sums due to him amounting to £5,360 13s. 4d., among his debtors for rent being Patrick Home of Kettilscheill for his land, £200; William Home of Linthill, John Home of Newton, and remanent heritors, for the teinds of Whitsom £800; Alexander and John Home of Kello and Kimmerghame, £500; and Mr. George Home of Kimmerghame for the teinds of Kimmerghame and Crumstane, £344. The testament was confirmed on 26th December, 1651.

242. Testament dative of George Home, younger of Wedderburn, who died in 1650, given up by Katherine Morisone, his widow. His estate is valued at £1,669 6s. 8d., with debts due to him amounting to £1166. Confirmed by John Nisbet, David Falconer, James Baird and Harie Foulls, Commissaries of Edinburgh 1651.

(10). GEORGE HOME OF WEDDERBURNE, 1650—1659.

243. Ane particuller accompt of that which the Lade of Wedderburn hath desbursed for the Laird of Wedderburn his rent in Huttoun parish, being according to the old valuatione, seaven hundreth and thritie thrie pund sax shilling 8 pens Scots, ... £ s. d.

Imprimis—Debursid be hir ladyship to the garrison of Wedderburne for 15 weekis from the 16 of November 1650 to the furist of March 1651, ... 134 4 4

	£	s.	d.
Item be hir ladyship for beding to the garrison, ...	7	6	8
Item be hir ladyship for the dauchtis for the cannan to Houm	5	19	8
Item be hir ladyship to Innerwick for 14 dayis provison, viz., from the 16 of Aprill to the furst of May 1651,	8	4	0
Item to Oalld Comes to Genarall Mager Lambert for corn and stro and flesh and bred and drink upon the 20 Febure;	28	9	4
Item be hir ladyship to North Berwick for ship and nout and suen and monies upon the 26 of Febuerie 1651,	28	8	4
Item be hir ladyship to Mordinton for oatis to Quartermaster Graues upon the 6 of March 1651, ...	29	6	4
Item be hir ladyship for ane rubru cumitit upon Foulltham Muir, 12 of March 1651,	9	18	0
Item be hir ladyship to Dunbar to Cornall Tommalsen ragment for the space of 4 wickis ther entrie upon the 24 of March,	80	4	6
Item be hir ladyship to Leagerwod and Duns for ane wick upon the 4 March 1651,	17	12	8
Item hir ladyship to Duncce for 4 wikis to Cornall Leaurne regment ther entrie upon the 8 May ...	89	6	8
Item be her ladyship to Onderwick for 10 wickis ther entrie upon the 9 of June, 1651,	55	0	0
Item be hir ladyship for catyh (?) horse to hir ladyship proper chriot,	11	2	6
Item be hir ladyship for men that was quarterit of Capten Oagell troupe to hir ladyship prouporson,	8	16	4
Item be hir ladie ther was quartrit upon the parish of Cornall Arllsh regment for the space of fayf dayis to hir ladyship upon the 10 of Julie 1651,	23	5	8
Item be hir ladyship to Abraham Houm for 8 wickis sentrie upon the 18 of Augst	27	19	4
Item be hir ladyship to Cauldstrin to Cornall Arllsh ragment for the space of 5 wickis for corne and stro ther entrie upon the 10 of October ...	77	2	4
Summa of all is	698	6	8

(Signed) WILLIAM KER.

244. An Account, untitled, but apparently connected with the incidents of 1650-51.

Imprimis, the assess of Edrem, six hundred pund	0600	00	00
Item, the assess of Whitsome, fyve hundred sixtie- four pund	0564	00	00
Item, the assess of Aymouth, three hundred and four pund	0304	00	00
Item, the assess of Darnechester, three hundred pund	0300	00	00
Item, the assess of Handaxwood, fourtie-six pund	0046	00	00

Item, the assess of Catelsheel, tuo hundred sixty-six pund	...	...	...	...	...	0266 00 00
Item, the assess of Dunse paroch, one thousand eightie-six pund	...	...	...	...	...	1086 00 00
Item, taken out of Wedderburne by the English of wheat, bear, oates and peese, so much as extends to four hundred sixtie-eight pund	...	...	...	...	...	0468 00 00
Item, out of Edrington, eightie pund	...	...	...	...	...	0080 00 00
Item, out of Streemsholme, six hundred pund	...	...	...	...	...	0600 00 00
Item, ane procutory the compts comes to three hundred tuo pund	...	...	...	...	...	0302 00 00
Item, ane compt of the stabuler, thrittie-six pund	...	...	...	...	...	0036 00 00
Item, ane compt of the cooks, seventie-fyve pund	...	...	...	...	...	0075 00 00
Item, ane compt of the shoemakers, tuentie-tuo pund	...	...	...	...	...	0022 00 00
Item, Mr. George Trotter, his band and Finlaw Tailyour his band with three years annuel, one thousand fyve hundred thrittie-three pund six shillings eight pennies	...	...	...	...	...	1533 00 00
Item, of annuels which I have assignatione to persue me by two thousand fyve hundred fourtie pund	...	...	...	...	...	2540 00 00
Item, for servaunts hyre, ane hundred eightie pund	...	...	...	...	...	0180 00 00
Item, for the Laird his chamber male eightie-twelve pund	...	...	...	...	...	0092 00 00
Item, for the Burialis, six hundred pund	...	...	...	...	...	0600 00 00

245. MS. Volume containing Accounts of charge and discharge for the crops 1649 to 1655 inclusive under the management of Dame Catherine Morrison, Lady Wedderburn, and signed by the supervising friends of the family from time to time, viz., A. Belsches of Tofts, J. Monypenny of Pitmillie, James Dundas of Armistoun, Sir Alexander Morisone of Preston-grange, John Home, uncle to the Earl of Home, and others called in and consulted by her. In the discharge there are payments yearly for the support and education at St. Andrews of her son, which the friends advised should be 500 merks yearly, and also for the maintainance of her two daughters, the elder being her allowed 500 merks yearly and the younger 300 yearly. In 1650 some of the entries are for mournings to the family and servants and £200 "for the buriales"; and probably it is in this connection the £30 10s. was paid "To the mason for the ile of Dunse kirk." Then a significant entry is "For bringing home my sounes writtes from the Castle," £34; indicating that Edinburgh Castle, now in the hands of Cromwell, was no longer a safe place for private records any more than it was for the public registers. Another entry is as follows:—"Wheat, beer (barley), oates, pease taken out of the Manzies of Wedderburne by the English." £468. In the accounts for 1654 there are payments in connection with the proceedings taken by the young laird in choosing his curators, showing he had then

attained his fourteenth year. There is also a duplicate of these accounts.

246. The compt of the sesse of Manderstone, 1650.

The [Laird of Wedderburns] rent of the lands of Manderstone [in the parioch of Dunse] according to the old valuation is one thousand and eight hundred pounds.

Lib. s. d.

Imprimis, to the troupe at West Nisbit (eight days before the garrison lay downe at Wedderburne) [seven sheep being 28 pound, eight gallons of ale, six pound of candle, all] their proportion comes to 039 10 0

Item, for twelve men of that troupe, 24 hours at 20 shilling each man and horse, comes to ... 012 00 0

Item, from the 19 of November 1650, to the 10 of February 1651, the proportion of Manderston comes to ... 284 00 0

Item, upon the 14 of February to Major Generall Lambert his regiment upon his march to Jedburgh, of sesse imposed upon the parroch—the proportion for Manderston comes to ... 036 00 0

Item, from the 10th of February to the 24 to all Alureds regiment lying at North Berwick ... 042 10 0

Item for ane stent layd upon the most pairt of the shereffdome for plunderd leather of Boynes, Manderston pairt comes to ... 009 10 0

Item, for furnishing ten men and horse of the Generall his owne troop at Dumbar at 24s. a day for ane month, beginning the 4 of March ... 360 00 0

Item, for oates given out of the paroch by way of exten to Colonell Thomlisone at Dumbar ... 009 10 0

Item, payd to the garrison of Innerweik the 21 of Aprile at 10s. 4d. upon ane hundred pound ... 009 10 0

Item [to Colonell Grovenner his regiment], for the space of fyve weekes [and Colonell Lilburnes] to the regiment that lay at Dunse, being 30s. a day to each trooper (two hundred four score sevin pound maintaining a man) being upon Manderstone six men and a half, comes to ... 352 00 0

Item, to Innerweik garison at 8s. on the hundred pound from the eight of June enduring ten weekes, comes to ... 072 00 0

Item, for ane sesse to Colonell John Hume ... 009 10 0

Item, according to the new valuation being ane thousand and two hundred pound on Manderstone to Abraham Home to take to Colonell Fennick at Leith for ane month at 42s. 6d. on the hundred pound, from the third of September to October is ... 051 00 0

Item, for fyve weekes to Allureds regiment at Dunse at 40s. on the hundred pound, they taking ane weekes advance with them ... 120 00 0

Item for six weekes to Lilburnes regiment ... 090 00 0

Item to the schoolmaster three years bygone forty *Lib. s. d.*
 nine and fiftie and fiftie one according to the order
 set downe 027 09 0

The additions in brackets are from another copy of this account which is subscribed by A. GAITES, constabel, and JOHNE JOHNSTOUNE, constable.

247. Discharge by Sibbella Primrois, lawful daughter of the deceased Mr. Gilbert Primrois, writer in Edinburgh, to Catherine Moresone, Lady Wedderburn, for £160 Scots, as part of the interest due to her by the late Lairds of Wedderburn upon a principle sum of 4,000 merks ; dated at Edinburgh, 3rd March 1652 ; witnesses, Alexander Beatoun, W.S., and William Gray, his servitor ; signed by SIBBILLA PRYMROS, and also by the witnesses. There is another discharge for a similar sum dated at Edinburgh, 18th December 1654, by Sir Alexander Belsches of Tofts, who explains that the bond granted by the deceased Sir David and George Home of Wedderburn to Sibbilla Prymros had been assigned by her to Margaret Skene, Lady Brountsfeild.

248. Contract of Marriage dated at Edinburgh, 27th February, 1656, between James Beattone, fiar of Balfour, with consent of John Beattone of Balfour, and Katherine Halyburton, his spouse, father and mother of the said James, and Katherine Moriesone, Lady Wedderburn, with consent of Sir Alexander Moriesone of Preston-grange, knight, her brother german, and Sir James Monniepennie of Pitmillie, knight, her brother-in-law. She is to be provided in liferent in the lands of Kennoquhie and others in life ; and she conveys to her future husband her liferent interest in Wedderburn. This is also James Beattone's second marriage. Among the witnesses are Sir John Moncreiff of that Ilk, Sir James Murray of Skirline, and Mr. Robert Gordoune, one of the clerks of Exchequer. At a later date there is a further security made to Katherine Moriesone by her husband, James Bethun, younger of Balfour, and David Bethun of Creich, his son, on the occasion of the latter's marriage to Rachell Hop ; dated at Balfour, 29th July 1669 ; witnesses, John Bethun of Blebo, David Lyndsay, fiar of Kirkforthar, and David Bethun, younger of Bandon.

249. Commission by the Committee of Estates to George Home of Wedderburn to uplift the rents of any lands belonging to John Home of Kello, who has been declared fugitive, he finding caution to account for the same to Parliament ; dated at Edinburgh, 21st November 1660 ; signed by A. PRIMEROSE, CLS. REG.

250. Letter from Sir Alexander Hume of Manderstoun to the Laird of Wedderburn. London, 5th September 1661 :—

Though I have not the good fortune to be known to you otherwayes then by report, yet the honour I have of so near a relation to you obligeth me to be concerned for you as one of the

persons in the world to whom I owe most kindnesse and service; and seeing my occasions have not hitherto permitted me to wayte upon you and tell you so much by tounge, I take this occasion to assure you of it by these lines. And having heard of late that you have a purpose to come shortly to Court I could not omitte to let you know that I conceive the time at present to be altogether unseasonable, the King being in a disposition of removing from this place and not like to fix here for some months, and the condition of his affairs being yet as unsettled as that of his residence. I shall also adde that when you ar to come hither I could wishe it were my good fortune to be here to serve you, which I cannot promise myself at this time, being in dayly expectation to make a jorney into Scotland, where I hope to wayte upon you before it be long and confer with you at length of all such things as you shall please to impaire to me relating to your interesse, whereof I shall ever take the same care as of what most concerneth, Sir, your most affectionat cosen and humble servant, A. HUME. Addressed, For the Right Honorable the Laird of Wedderburne, these.

251. Claim by the Laird of Wedderburn upon the Crown :—

Memorandum.—Sir George Hume of Wedderburne, being comptroller to King James 6 of Scotland the King being considerably in his debt, his son, Sir David, did, as I remember, in the yeir 1633 aply himself to King Charles the first, who gave a reference to examine the accompts to the Earle of Morton, then Threasurar, quharupon the Earle gave a declaration that he haveing examined thes accompts did find that the King was oweing either about six or nine thousand *lib* (I remember not which of them) which was dew to the petitioner about 30 yeirs agoe quharof he had neither principall nor annuelrents; which petition, reference and answer I haveing in my hands in the year 1663 did petition King Charles the 2nd. The Earle of Lawderdale, being then Secretary, desired me to returne home and ther should be care takein that I should be satisfyed out of the fines qwhich were not then disposed of, bot never got any satisfaction to this hour. I left this papers (viz.) Sir David his petition, King Charles his reference to the Earle of Morton, with the Earl's answer, in London with Sir Alexander Hume, gentleman of the Privie Chamber, who dying thair, they so miscarryed that I could never come to them agane, bot I suppose they may be found in the Exchaiquer Books quhen the Earle of Morton was Theasarer.

On the back, in a later hand, is the following note :—It may be mentioned as a piece of family history that a treaty of marriage (at the time of the within application to the Duke of Lauderdale) was going on between His Grace's only daughter and the Earl of Home; the Lady was deformed, and the Earl after seeing her, refused the match. The Duke from that moment would pay no more attention to Wedderburn's claim. The Lady was afterwards married to Lord Yester, ancestor to the Marquis of Tweeddale.

252. Retour of the general service of George Home of Wedderburn as heir to the deceased George Home of Wedderburn, his father, exped in the Sheriff Court of Berwick, held at Dunse by Sir Henry Home of Herdrig, knight, and Alexander Home of Linthill, sheriff deputes, on 25th August 1664, by the following jury of inquest:—Alexander, Lord of Coldingham, Alexander Home of Ayton, Archibald Cockburn of Langtoun, knight baronet, John Home of Blackadder, Robert Ker of Craillinghall, Andrew Ker of Lintoun, John Ker of West Nisbet, John Home of Manderstoun, Archibald Douglas of Lumisdene, Robert Home of Kimmerghame, James Renton of Billie, John Home of Prendergaist, Robert Dundas of Haviestoun, James Home of Greinlawdeane, and Alexander Home of Abbay.

253. Articles of Agreement between Sir George Hume of Weatherburne, and Sir Francis Liddle, knight, Mayor of Newcastle-upon-Tyne, for the marriage of the said Sir George with Isabel, spinster daughter of the said Sir Francis. He is to give with his said daughter as tocher £1,000 of English money, and Sir George before 1st August next is to convey to Francis Liddle, Esqr., son of the said Sir Francis, and John Horsbrough of Wooler in the county of Northumberland, clerk, and to the lady's heirs, his lands and possessions called Weatherburn, Haimouth and Horneden for the liferent use of the said Sir George, and after his death and the death of Katherine Hume, his mother, for the liferent use of the said Isabel Liddle, and after their death for the rightful heirs of the said Sir George and Isabel. The tocher is not to be paid until the infetment has been completed. This deed is executed in duplicate, one being signed and sealed by Sir George Hume, his seal being a small circular signet bearing the simple device of a lion rampant; and the other being signed and sealed by FRANCIS LIDDELL, Maior; his seal being a small oval one bearing his coat of arms stamped on the paper. Dated 8th November 1664; witnesses, John Horsbrugh, Ralph Scourfield, and Christopher Rawlin.

254. Commission, superscribed by King Charles the Second, and subscribed by Landerdaill, to his "trusty and welbeloved George Home of Wedderburne," appointing him cornet of that troop in Lieut. General Drummond, the King's Major General's regiment of horse, of which Lord Carnegie is Captain. Dated at Whitehall, 7th June 1667, in the nineteenth year of the King's reign.

255. Contract of Marriage dated at Edinburgh, 11th February 1668, between John Beatoun of Blebo and Dame Katherine Home, with consent of Katherine Morrison, her mother, and George Home of Wedderburn, her brother german. Her tocher his 8,000 merks, and she is to be infet in liferent in the lands of Myrtoun (the boundaries of which are given and are said to march with the land sold to Richard Monnypennie, father of the deceased John Monnypennie), in the parish of Kemback, regality of St. Andrews and sherifffdom of

Fife; and also in the lands of Over Magask in the barony of Kininmonth (out of which a rent of 200 merks is paid yearly to the Laird of Craighall), which two estates, notwithstanding, John Beatoun guarantees to be worth yearly 1,300 merks to her. The witnesses are Sir Alexander Morrisone of Prestongrange, knight, James Beatoun, fiar of Balfour, David Beatoun, his son, David Beatoun, fiar of Bandon, Mr. Alexander Spotswode of Crumstane, Mr. William Beatoun, advocate, Alexander Beatoun, W.S., Alexander, his son, and Mr. Andrew Beatoun, son to John Beatoun of Balfour.

256. Protection superscribed by King Charles the Second and countersigned by Landerdaill, in favour of George Hoome of Wedderburn, who is under several processes of horning at the instance of creditors, but who, if he had time and liberty to go about to attend to business, would discharge these debts. His Majesty therefore grants him immunity from arrest and imprisonment on account of these for two years from the date hereof, which is at Whitehall, 28th July 1671.

257. Latter Will of Sir Francis Riddell of Reedhouse in the County Palatine of Durham, knight, dated in his sickness on 15th January 1680, evidently at Wedderburn, for he leaves his body "to be interr'd in the earth att the discretion of my son-in-law, the Laird of Weatherburne in Scotland, and my daughter, Dame Elizabeth, his wife, with whom I now recide and am." He leaves all his property moveable and immoveable to his said daughter, for the benefit of herself and her children by the said Laird of Wedderburn, appointing her his sole executor, and revoking all former wills. This deed, however, is not signed nor attested, and is marked on the back as "Cancelled."

258. Extract Decreet of the Lords of Counsell and Session, viz. Mr. William Baillie, Lord Provand, President; Adam, Bishop of Orkney; Alexander, Abbot of Culross; Alexander, Prior of Pluscarden; Mr. John Lindsay, parson of Menmuir; Sir John Maitland of Thirlstane, Secretary; Sir Lewis Ballenden of Auchnoule, Justice Clerk; Sir Patrick Waus of Barnebarroche; William Douglas of Quhittingem; Mr. David McGill of Neisbeit, King's Advocate; and Mr. Thomas Bannatyne of Newtild, dated 15th February 1585, by which they remit the consideration and decision of the following case to the Commissaries of Edinburgh. Complaint had been made to their lordships by William Purves in David Tod in Knok, Patrick Purves, John Bog of Burnehouses, James Bog, his son, John Clerk in Volserland, Patrick Chirnsyd there, Christian Torrence in Peilheuch, Thomas Reidpeth, fiar of that Ilk, Andrew Galbraith, William Chirnsyd in Harlaw, John Lamb in Knok, William Chirnsyd in Birkinsyd, William Trotter in Dunse, Robert Gray in Parkhouse, John and Alexander Vinserstonis, Thomas and Robert Belscheillis, Simon Michelson, Laurence Andirsone, Robert Manwell, Patrick Michelsone, William Hammiltoun, Thomas Manwell, Henry King, Arthur

Mandirstoune, Mungo Abirnethy, Thomas Lyn, William Cokburne of that Ilk, and the other parishioners of the parish of Dunse, against Mr. Peter Danielstoun, Mr. Patrick Gaittis, George Hume of Weddirburne, and William Ker, apparent of Ancrum, also against George Cokburne and Patrick Cokburne "sheriff deputis of Langtoun," and Mr. William Cranstoun, Commissary of Lauder. Mr. Peter Danielstoun, claiming to have been lawfully provided to the parsonage and vicarage of Dunse, had obtained their lordships' decreet against Mr. John Bennet and Mr. Patrick Gaittis, who also claimed the same, and in terms of this decreet, the said parishioners had been charged to pay and had paid their dues to Danielstoun. But now the said George Hume of Weddirburn and William Ker, claiming right to the same in virtue of a tack thereof made by the said Mr. John or Patrick Gaittis to the deceased Robert Colville of Cleishe, who had assigned the same to them, daily trouble and pursue the complainers before the said sheriffs and Commissary and Danielsston also troubles and pursues them for payment, which they are willing to make, but desire that it be determined to whom it is rightly due. (*Signed*) Alexander Hay.

259. Commission signed by the freeholders of the shire of Berwick met at Dunse on 28th March 1685, to Mr. Charles Home of Aytone and George Home of Wadderburne to represent them in the Parliament to be held at Edinburgh on 9th April next. On the back there is written "Without Test."

(11). GEORGE HOME of WEDDERBURN, 1695—1720.

260. Contract of Marriage dated at Edinburgh and Wedderburn 3rd and 4th October 1695, between George Home, younger of Wedderburn, eldest lawful son to George Home, elder of Wedderburn, with consent of his said father, Dame Isabell Liddle *alias* Home, his mother, and Dame Katharine Morrison, widow of the deceased George Home of Wedderburn, his grandmother, on the one part; and Mrs. Margaret Home, eldest lawful daughter of Sir Patrick Home of Lumsden, Advocate, with her father's consent, on the other part. George Home, younger, agrees to marry Margaret Home, and her father, as having right to the after-mentioned lands by a disposition thereof from those who had apprised them from the Laird of Wedderburn, elder, disposes to them the lands and barony of Wedderburn, Paxton, certain husband lands in Coldingham, Eyemouth, East Reston, Renton, Auchincraw, etc., and generally all the Wedderburn Estate, and fishings, &c., pertaining thereto, with reservation to the said Mrs. Margaret Home during her lifetime of the manor place of Wedderburn, or £100 Scots, with an annuity of 2,200 merks if there should be no heirs male of the marriage and of 2,000 merks, free of all burdens, if there were. Sir Patrick Home is also to pay to the said George Home, younger, 1,200 merks Scots, which is to be expended at the sight of the said Sir Patrick. By this contract also George Home, elder, disposes his liferent interest

in certain lands to his said son, and his wife, Isabel Liddell, restricts her annuity, in the event of her survival, to 1,200 merks; while Katharine Morison makes over all her liferent interest to her said grandson, who is to entertain her in family with himself. Mrs. Margaret Home is to be infest in certain parts of the estate in security of her jointure, and receive the equal half of the household plenishing at the death of her husband. It is stipulated that George Home, younger, shall obtain a charter of the said lands to himself and wife and the heirs male of their marriage, whom failing, the heirs male to be born to him in any other marriage, whom failing, his brother german, Francis Home, and the heirs male of his body, whom failing, the heirs female of the said George Home, younger, and then his heirs and assignees whomsoever. Provision is made for the daughters of the marriage; and certain allowances are to be made by George Home, younger, to his father, if their two families should afterwards choose to live separately. Further George Home, younger, is to pay 5,000 merks to Jean Home, his sister german, and 4,000 merks to his said brother Francis when he reaches the age of 21 years, and meanwhile to educate and entertain him in family with himself; these payments to be in full satisfaction of all they can crave from their father as portions. If necessary, execution is to pass hereupon at the instance of the said Sir Patrick, if alive, or John Home, his eldest lawful son, and Sir Robert Baird of Saughtonhall. The witnesses are David and George Renton, brothers german of James Renton of Billie, advocate; Patrick Lord Polwarth, Sir John Baird of Newbyth, Sir Robert Baird of Saughtonhall, William Morrison of Prestongrange, Sir James Fleming of Rathobyres, Sir William Baird, younger of Newbyth, James Baird, younger of Saughtonhall, Mr. William Moninpenny, advocate, John Howe, younger of Lumsden, James Bethune, younger of Blebo, Robert Watson and William Baird, merchants in Edinburgh, Mr. James Anderson, W.S., and others.

261. Births of the children of George Home of Wedderburn:—

David Hume was born the 9 of January, 1697.

George Hume was born the 30 of May, 1698.

Patrik Hume was born the 16 of July, 1699.

Margaret Hume was born the 30 of November, 1700.

John Hume was born the 25 of March, 1702.

Francis Hume was born the 15 of December, 1703.

Isabell Hume was born the 12 of September, 1706.

Jean Hume was born the 8 of May, 1709.

James Home was born the 26 of September, 1714.

262. Copy. Bond of provision by Sir Patrick Home, advocate, in favour of Elizabeth, his second daughter, whereby he directs his executors to pay to her 9,000 merks at the first term after his decease; dated at Edinburgh, 26th September, 1700. A blank in the original bond is filled in with Sir Patrick's own hand stating "that in caice the said Elizabeth Home shall marrie Francis Home, brother to the Laird of Wedderburne, this bond shall be null and voyd."

263. Letter apparently to the Laird of Wedderburn intimating the expected death of Queen Anne :—

Much honoured, We have received by order of the Privy Council the unhappy news that on Friday last the Queen was taken very ill, the phisicians apprehending her Majestie to be in s(ome) danger. We are to acquaint you that the comm(ands) of the Lords of the Council are that all mag(istr)ats and others in authority doe use their utmost (ende)avours for taking care of the publick peace and that they give such directions as may be most likely to prevent any disturbance in the kingdom in case her Majestie should be caryed off by this fit of sickness; and for that end the Duke of Ormond has sent his commands to his troops here in Scotland. We desire you from time to time to give us proper notice of any thing which happens in your bounds that concerns the peace of the countrey. We are, much honoured, Your most humble servants, (Signed) ILAY, J. SMITH, JAMES ERSKINE, HERONE, A. MAITLAND, JOHN CLERK, JOHN CARNEGIE, LOD. ERSKINE, THO. KENNEDY, GEORGE DALRYMPLE, W. CALDERWOOD, GEO. WARRENDER. Edinburgh, 3 August 1714.

264. Letter from George Home of Wedderburn to his lady. Woolar, 9 October 1715 :—

My dearest, We came heir yesternight and ar to joyn the English the morrow who ar very strong both in horse and arms. We ar to go streight south at first. Ther is not a county heir but ar rising and very numerous. I desire ye may take curage and be not dejected, for we doubt not of busines proveing to our mind. This day we heard Mr. Gladstons preach who performed wonderfully. I shall miss no sure occasion to writ to yow. We ar all very weill and wishes to hear the like of yow and the bairns and recommends yow and them to God. I am, Yours, G. HUME.

I desire ye may cause sell some corn of the north side and have a litle money ready in caice I have occasion to call for it. For God sake be not dejected. Cause deliver the inclosed. If it wer possible yow can get notice of any body comeing to us, send me some linings and cause send some to Jamie. (Addressed) To the Lady Wedderburn.

265. Letter from Francis Home, brother of George Home of Wedderburn, to his sister :—

Dear Sister, It was not (as I suppose youl easily beleeve) without great anxiety and concern, nor ever was I so surprised all my life as when I received the melancholie news of my poor wife's death, which of all the misfortunes of my life, nothing can be comparable to it. Houever, since it hes pleased God to remove her, I hope in God she is this day in a better place then the best of this world can efford; and I pray God to give me patience under my sufferings and a happy issue out of them. The fear of death seems now to be over, for all in this place signed a petione througinge our selves att his Majesties mercy; so the worst we can expect now is transportation, which to me is the same with death. But what shall I say since my wifes dead. I could willing

be satisfied to be with her, for my satisfaction in this life is over. Yow may desire my mother to use her intrest with my Lord Marchmont to save me from transportation. I have writ to my Lord Forglan about it whos soon, Captain Ogilve, I saved from being killed dead. As to what they are doing London I know not, so can give yow no account of them. Give my humble (word deleted) to my mother, my good sister and all the family, praying God to comfort under your present circumstance. Give my service Mr. Anderson. I thank him for his kind letter. Not doubt but youl take all the care yow can of the poor children. I am, D. J. Your affectionat brother, FRA. HUME. Liverpoole, 7 February 1716. (Addressed) Mrs. Jean Home at Wedderburn, to the care of the Ladie Billie at Berwick upon Tweed.

266. Letter from the same to Mr. John Home of Renton:—

Liverpool, 14th March 1716:—Dear Sir, I had yours this day and cannot but render yow hartie thanks for this and the many former favours I have had from yow, and doubts nothing of your continuance. Yow will receave enclosed the factory yow sent up, but I doubt my signing of it in prison will (if quarrelled) invalidat it. If I be wrong in filling up the blanks or otherways send me up ane other with particular directions and I will sign it . . . [He then gives directions as to certain matters—the titles of Quixwood, etc., and proceeds] . . . Whatever you do with any household furniture let not my wearing cloaths, nor scritore or my wifes drawers be disposed off, for I do not despair of seeing yow once more. Our fate is verry uncertain but some would endeavour to perswad us of ane indemnity. However ther ar about 3 or 4 score of the common people amongst us, but non of the gentry to be put aboard of a ship that is to sail from this in a fortnight for the West Indies. Wither my Lord Forglan concern himself for me or not I know not, but it is verry well known here that if I had not been, he now hes a son that this day had not been. Pray let me know by the first post if yow receave this, and if yow have any further orders for me. I am, your most obleidged humble servant, FRA. HUME. Tho I wrote five times to my brother since he went to London yett he never was once at the pains to lett me hear from him until I wrot on to Whitfeild complaining of him. Neither have I receaved from him on farthing all this time tho he promised to send me some money from London. (Addressed) Mr. John Home of Rentone, advocat, att his lodgeings in the Parliament Closs in Edinburgh, North Brittain, to be forwarded by way of Newcastle-upon-Tyne.

267. Letter from Mr. Ninian Home to Mrs. Jean Home:—

Sproustoun, 2nd April 1716:—Madam, You will see by the enclosed that the mony and linings and other things sent have come all safely to your brother his hand. He wryts to me that he never received a sixpence from his brother nor from any other person, but the litle he received by my man at Wigam, since he was prisoner. He tells me also he hath not heard from his brother save once, tho he has wryten often to him, and that he

has been obliged to comerads for subsistance. They are as yet uncertain what becomes of them, and he wryts they ar all verry mirry tho in prison, and beleive that their removal will not be sudden. The factory he has sent to Mr. John Home is to George Idingtoun and William Chapman, Sir Patrick's servants, which he will revoke or not as I advise, but in that matter I will not medle. And as to my Lord Home's business and his, he tells me quhair the accounts and instructions are to be found; but knowing you have secured these and what concerns your brother Wedderburn, I need not trouble myself or you further with them at present. He desires his wifes drawers and scritore may be kept and that you may take for yourself whatever is fit for you. His books he says are not much worth, but that they will be useful to his children if they live. I need not trouble you further save that he tells me nothing Barbara Monilawes brought up came to his hand, she pretending all was stolen from her but two shirts, as he remembers, which he supposes she caried back again, but that the two bundles of cloaths sent by me are received by him conform to what I wrote of them, which I suppose will be verry acceptable news to the old lady and you both; and I am verry glad to understand he is so hearty and mirrie and has so good hopes of seeing us all again; and the little things he has received with the mony will be of great use to him whatever happens. Give my humble duty to your mother and to the Lady Billie and her daughters and beleive me to be, Mrs. Jean, your most humble servant. NIN. HOME. My wife gives her service to you. You may write upon the other side of the enclosed for your brother to save expense and then seal it and send it off with the first post, and keep your brothers letter to be an instruction of the mony sent to him. The bearer has been so carefull that I have given him a crown since his return. (Addressed) To Mrs. Jean Home, daughter to Wedderburne, att Barwick.

268. Letter from George Home of Wedderburn to his sister, Jean Home:—

Marishallsea, 7 July 1716 :—Dear Sister, I hope yow will not be surprysed. On Thursday last John Winram and my tryalls came on and wer brought in guilty. Yesterday Whitfeild was tryed and meet with the same. Yow need not be concerned, for our lives I hope ar in no hazard, we haveing assurance no more heir ar to die. Every body was surprysed when the jure brought me in guilty, for ther wer two evidences against me who declaired they only see me once upon the road with the rebels without either sword or pistoll and no more. Ther wer other two of the King's evidences for me who declaired they see me brought in prisoner to Kelso and see me caried on all the way prisoner till we came to Prestone wher we wer taken by the King's forces. Jerviswood was surprysed with it and promises me all the friendship he can. Take the prudentest way you can to acquaint my mother, for she needs have no fear, for I trust in God we shall be all saif. As for Geordie, we expect a *noli prosequi* for him, so he

will be set at liberty. If any of Whitfeild's servants come to Berwick on ther road for London, he desires yow may stop them and to forward the inclosed which is writ to that purpose. Whitfeild gives his service to yow all. We ar brether in afflictione, but both weill and hearty. This with my duty to my mother and service to the lady and lases of Billie, with Mrs. Darant and all other friends, I am, Your loveing brother, G. HUME. Forward the inclosed with the first occasione. If yow get not a sure hand to send Mr. Ninians, in all haist send it to Wedderburn.

269. Letter from the same to Patrick Home of Bastlerig, Marishallsea, 28 August 1716 :—

Dear Sir, The Commissioners for inquiring after the forfeaulted estates being now to meet, our freind heir tells me yow have writ to him for account of what lands he hes holding of a subject and for me to give the same. All the lands I hold of subjectts ar my intrest in the barrony of Coldingham or Abbacie therof which holds of the Earl of Home. My predicesors never had a chartor of the Earl but wer lyable to pay few dutys and other casualitys to him. The lands of Paxtone ar within the Abbacie of Coldingham. I desire yow do in my busines as you do in our friends and if ever we make a step home again we shall givé you thanks. I am hopefull, considering the intrest and friendship that hes been betwixt the Earles predicesors and mine, he will make no scruple to give my familie and me what advantage he can. So I hope if any papers to be granted be for our behoofe he will not refuse it; and for the trustie I leive that to my wife and you, but see it be not Sir Patrick or any of his famalie. Ye may also advise with Mr. Ninian about it. I likeways hold Kimmerghame and the East miln therof which I was in possessione of of the Duke of Douglass, but how to manadge that I cannot advise yow, if my Lord Hume and Mr. Ninian do it not, because my memory can not serve me in every thing about that. It will be fit that yow put in a generall clause which may comprehend anything, and pray let me hear from yow about it, and if this comes to your hand. Hopeing ye will excuse this now in the time of my distres, and give my service to your lady and sones, I am, Dear Sir, Your affectionat cusine and servant, G. HUME. For Patrick Hume of Bastlerig or Midletone in his absence.

270. Letter from Lady Grizel Baillie to Lady Wedderburn :—

London, 7 February 1717.—Dear Madam, Jerriswood and I both had letters from you this morning. I'm sorry to find that you are so anxious about your son. I hope your fears will be groundless. therefore, Dear Madam, I must beg you to be easie, for depend upon it, we will do all in our power for him. Do not believe stories that gos about there, for were there anything reall, good or ill, you should hear it from me; and save that he has not the comfort of being with his famely and his friends there, he never

was better in his life. I think you are much more to be pitied. Whatever the Government may order about his fortune they never will stop your joynter. Perhaps things may be in confusion at present, but it cannot hold so for any time. Jerriswood gives you his humble service; and I intreat you, Dear Madam, to be perfittly perswaded that we will acquaint you with all that happens, and hope the best, which is much wisht by Madam, Your affectionat cusine and humble servant, GRIS. HUME. My service to your daughter and all your sons famely. (Addressed) To the Lady Watherburn.

271. Copy of Lady's Wedderburn's petition to the King:—

To the King's Most Excellent Majestie, Mrs. Margaret Home, spouse to George Home late of Wedderburne, humbly sheweth,— That my husband haveing been unfortunatlie engaged in the late wicked and unnaturall rebellion was therefor forfeitted, and I by my marriage settlement being provided to the manner place of Wedderburne and yeards thereof, otherways eight pound six shillings and eight pence sterleing in lew thereof, and ane yearly annuity of one hundred and eleaven pound two shillings two pence half pennie sterleing, free of all publict burdens whatsoever, to be uplifted and taken out of the whole estate of Wedderburne, with which annuitie the said estate stands burdened and affected dureing all the days of my lifetime, and for securitie whereof I am seased in the whole estate, and my husband being forfeitted as said is, and I haveing nine childrin and haveing no thing whereupon to subsist my selfe and my childrin, I am a proper object of your Majesties pity and compassion.

I therefor humblie pray that your Majestie may be graciously pleased out of your princelie bountie to allowe me the manner place of Wedderburne and yeards thereof and the 111£: 2sh: 2p: ½d. sterleing of the yearlie anuitie to be payed to me oute of the rentis and profites of the said estate dureing my lifetime, free of publict burden whatsoever, for mentinance and subsistance of me and my poor childrin, conform to my mariage settlement, and the petitioner shallever pray for your Majesties happiness and prosperitie.

272. Claim by Mistress Jean Home, daughter of the deceased George Home of Wedderburn, upon the estate of George Home, late of Wedderburn, her brother german, given in to the Commissioners appointed to enquire into the estates of certain traitors. It is founded on (1) a Bond by the said George Home to his said sister for 8,000 merks of principal with a penalty of 700 merks and interest since 1696, dated at Dunse, 7th August 1696; witnesses, Alexander Lorrان, notary in Dunse, and Christopher Saidler, younger, feuar there; (2) a Bond of Corroboration by the same to the same for 5,000 merks of principal with penalty of 500 merks and interest from date (at Dunse 3rd December, 1701), the said principal sum being payable at the first term after her marriage, and in the event of her death to

revert to the said George Home. This bond was granted by him in terms of an obligation contained in his marriage contract with Mrs. Margaret Home: (3) Sasine thereupon of the said Jean Home in an annuity of 300 merks, dated 24th April 1702. The claim is dated at Wedderburn, 20th June 1717; witnesses, Mr. Ninian Home, minister at Sprouston, and David Home in Wedderburn. Signed by JEAN HUME and others.

(12.) LETTERS AND PAPERS, 1733—1818.

273. Letter from Andrew Fletcher, Lord Milton, to Mr. Ninian Home of Billie:—

Edinburgh, 29 October 1733:—Dear Sir, I am favoured with yours, for which and all your favours I thank you. You have so much reason and justness of thought in all you write that I cannot but approve of everything. Rhonald Dumbard spoke to my Lord Advocate on what you wrote to him and he told me he advised him to proceed without delay. As for Wedderburne, I have a great respect for the family. I have the honour to be related to them, and do assure you that I would be glad of any opportunity to serve him. I should think Lord Marchmont using him ill would do his lordship no service in the opinion of any thinking man. When your business brings you to Edinburgh I will be glad to see you, and you shall have a bottle of the best of it and nothing shall be done till I see you, with respect to gaining enemies, for I am entirely of your opinion. I am, Dear Sir, most heartily, yours etc., AND. FLETCHER. (Addressed) to Mr. Ninian Home of Billie, to the care of the Postmaster at Dunse.

274. Small Manuscript Note Book of Mr. Ninian Home of Billie, titled "Mr. Ninian Home, his compt book, 1699," and as a note of contents "Here is the charge what the plenishing of the land cost me, the yearly rent and expense in labouring the same, with the yearly income and product thereof compared together." The dates covered by what is written, however, were 1728-1743, and during this period it shows who were the tenants in the lands and a number of transactors otherwise with the writer. But perhaps the most interesting entry is the writer's written agreement with his wife, Margaret Home, as to the keeping of the house, dated at Ashfield, 1st March 1732, and signed by both; which is renewed with some modifications on 4th October 1736. There are also lists of those who pay the schoolmasters' salaries in the parishes of Hilton, Whitsome, Boncle and Coldingham, and the proportion paid by each. Another of his account books covers his transactions with tenants from 1738 to 1742.

275. Copy Disposition by Mr. Ninian Home of Billie of all his moveable estate to Patrick Home, the eldest surviving son of his second marriage, on condition that he discharge all the debts of his said father, and relieve Alexander and George Home, the sons of the first marriage of the said Mr. Ninian, and their heirs of the same, including the provisions to any of his younger

children. Mention is made of a former similar disposition to Ninian Home, Patrick's eldest brother, dated 4th October 1738; but which had been rendered void by Ninian's death. The dealing with the provisions of the younger children is to be at the sight and by the advice of the disposer's wife, Margaret Home, David Home of Wedderburn, James Winrame of Oxenden and the said George Home, who is designated "of Billy," and who, in the event of the said Margaret Home remarrying before the said Patrick reaches his majority, is hereby appointed his curator; dated at Linthill, 16th February 1742, witnesses, Archibald Renton and John Tod, the granter's servants.

276. Testament of Mrs. Margaret Home, widow of Mr. Ninian Home of Billie, whereby she appoints Abraham Home, their second lawful son now on life, her sole executor, bequeathing to him all goods of whatsoever kind belonging to her at the time of her death; dated at Linthill, 13th August 1751; witnesses, Thomas Dawson, surgeon in Eyemouth, Mr. James Colvil, school-master there, and John Renton, writer there.

277. Bond of Corroboration (unsigned) by David Home of Wedderburn, to Patrick Home of Billy, in which he narrates that on 23rd January 1733, Mr. Ninian Home of Billy, disposed to him the lands of Wedderburn and baronies of Whitsome and Horndean and others, having previously secured bonds from him for the price thereof, viz., £16,000 Scots, and for the payment of £4,000 Scots to the use and behoof of Mrs. Margaret Home, eldest lawful daughter of the deceased George Home of Wedderburn, and wife of the said Mr. Ninian Home (their contract of marriage being mentioned as made with consent of Mrs. Margaret Home, Lady Wedderburn, her mother, and as dated 21st April 1726); also that the said Mr. Ninian disposed these bonds to the said Patrick, his second son of his second marriage, of which upon present accounting between them there is found to be still due £1,518 6s. 3d. sterling. The old bonds being handed over to be destroyed this new bond is granted for this sum, secured over the lands above named, and to yield the interest yearly of £75 18s. 3d., until paid. Indorsed, 1754.

Three letters from Hugh, third Earl of Marchmont, to David Home of Wedderburn, 1756-1761.

278. Marchmont House, 4th August 1756:—Sir, By the return of my servant from Edinburgh I have the pleasure to find I have gott a majority to name you Cashier to the Police in the room of Mr. Lind of Gorgie. As I shall carry it only by one vote I have appointed Thursday the 12th for a meeting to put an end to it. It will be proper you should be in Edinburgh the night before to be invested in your office immediately. I shall be at Mr. Pringles where I shall be glad to see you in the morning. I shall go in the day before with my brother, who arrived here last night. I hope you and all your family will now be convinced that the family of Wedderburn have not a more sincere friend than, Sir, Your most obedient humble servant, MARCHMONT.

279. London, 23rd May 1758 :—Dear Sir, I received yours of the 2nd in the country. I declined writing again till I heard from you as time is in great afflictions the most effectual doctor. As much as such a loss can afford of alleviation the whole family have in this case; our friend having done all the honour that can be wish'd to his family. He finished like a gallant officer, and his memory has been mentioned with the applause it deserved by every body. Lord Anson condoled with me in very handsome expressions; and Lord Winchelsea lamented that it had not been in his power last summer to put him in a ship more worthy of so brave a commander. I hope soon to have the pleasure of assuring you in person how sincerely I am, Dear Sir, Your most obedient humble servant, MARCHMONT.

280. London, 24 December 1761 :—Sir, In the midst of the only hurry we have had of attendance in the House of Lords I received your letter of the 4th, and this is the first letter I write on our getting some respite. All this house most sincerely congratulate you on your marriage and hope the introduction of the name of Campbell will be as happy to you as it has been into our branch of your family. Our best wishes we desire you will present to the Lady and accept of yourself.

I can assure you our friend John is not left unsolicited for; I am sorry it is to so little purpose. I shall be glad to be able to be of any use to Mr. Telfer. There can be no doubt of paying the officers of police, as the Court is now re-established, and you may surely gett money as usual. Remember me to your mother and the good Doctor. I am, most sincerely, Sir, Your most obedient humble servant, MARCHMONT.

Four letters from David, afterwards General David Home of Caldra and Wedderburn, fourth son of Mr. Ninian Home of Billy and Margaret Home of Wedderburn, his second wife, to his brother, Patrick Home of Billy, 1759-1760.

281. Munkhausen Camp, 26th August 1759; Dear Brother, I took the opportunity of Major Burton's going to England to write you about the midle of last month. I likewise sent you a letter by Lord George Sackvilles packet dated from the feild near Minden, both of which I hope you have before this time received. They consisted only of a few lines wrote in the greatest hurry and with no other intention than to prevent any anxiety which my silence might occasion. Indeed few opportunities of writing you have offered of late, both on account of the frequent movements of the army, and the interruption of our communication with Holland from the numerous partys of the enemies light troops that have for some time infested that quarter. But this last inconveniency is happily removed by our late successes, the roads being now open and the ruined inhabitants freed from the insults and oppression of these lawless banditti. . . . You have before this learned from the newspapers and gazetes the particulars of our victory near Minden, which was surely the most

amazing piece of good fortune that ever attended any army, considering our critical situation and the fatal consequences that must have followed our defeat. It is certain that the French so early as the opening of the campaign assumed a superiority over the allies which they imagined themselves able to maintain, strengthened as it was by a numerous army and the advantage gained at Bergen. The reduction of the town and citadel of Munster, their taking possession of Minden and its strong camp without much opposition, were lucky events and which in some measure insured them of more important conquests. Their advantageous situation made it difficult to undertake anything against them, while it left them at liberty to make frequent incursions into Hanover either in large or small bodies as they might be inclined. In this position they discovered a strong inclination to besiege the fortress of Hamelen, while M. D'Armentieres with his separate corps attempted to reduce the town of Lipstadt; but upon some movements made by Prince Ferdinand they thought proper to defer those enterprizes, at least for some time. Under these circumstances the Duke seemed determined to attack the enemy if an opportunity could be found. Accordingly we marched from Stoltzenain and incamped the 16th of July at Osenstadt near the Weser. The army had orders to hold themselves in readiness to march that night at 12 o'clock, and his Highness with the piquets of the army advanced to Minden that he might reconnoitre more nearly the enemy's situation.

Soon after daybreak the whole army followed him in nine columns, with orders to leave their camp standing and baggage behind them; but by the alteration which M. Contades had made in the position of his army he had his right flank covered by the cannon of Minden, his left extending towards the mountains, the Weser in his rear and a deep morass in his front. This gave him all the advantage of the ground and rendered him almost inaccessible. Our army, after forming in line of battle and remaining for several hours under arms, retired to their former camp, a few hours march from Minden. On the 19th the headquarters were moved to Peterhagen, but the army continued to occupy the same ground as before.

For several days the Duke watched the enemy's motions with unusual attention. He kept the troops extremely alert and everything in constant readiness for action. On the 29th he decamped and marched to the village of Hille, where he fixed his headquarters, having the right of his army supported by the morass of Hille, and his left stretching towards the village of Freidwalde. Here we remained without any change till the morning of the 1st of August, when the French, having intelligence that our army was considerably diminished by the several detachments which Prince Ferdinand had judged necessary to be employed on different services, this with other considerations, induced them to abandon their strong camp and gain the plain on the opposite side of the morass, with a design to attack an advanced corps incamped behind the village of Dodenhausen under the orders of General Wangenheim, and separate them if

possible from the main army. For this purpose they were put in motion early in the night of the 31st, all of whom with their artillery passed the morass at daybreak ; and this being effected, they drew up and appeared in line of battle by four in the morning, and at the same time occupied such parts of the ground as appeared most advantageous for placing their batteries of heavy cannon, by which they were enabled to annoy us more in our march towards their line. Prince Ferdinand was not ignorant of the enemies' motions. He determined to meet them without regard to their superior numbers, and like a prudent commander had prepared everything for their reception. Accordingly the troops were immediately ordered to be got under arms, the train of artillery was put in motion, and the army marched in nine columns from their lines of incampment and formed in line of battle between the villages of Halen and Hemmeren. The corps under General Wangenheim occupied the empty space between Hemmeren and Dodenhausen.

As our infantry advanced towards the enemy they suffered considerably from some batteries which flank'd them on their march. The cannonade on their side was brisk and well supported for some time ; but on the coming up of our artillery, which was incomparably well served, and so conducted as to have the strongest effect imaginable, many of their guns were dismounted and their batteries at length totally silenced. On the right wing the heat of the day fell chiefly on the two brigades of British infantry and the regiment of Hanoverian foot guards, all of whom behaved with infinite resolution and performed every part of their duty with the greatest gallantry. They sustained the repeated shocks of several squadrons of the best French cavalry and repulsed them with great loss. The number of fresh corps that were brought up against them put them sometimes into disorder but could not shake their intrepidity, and they continued to behave with the same spirit to the end of the action. The regiments of infantry that composed the left wing were not so closely engaged, being principally intended to secure our left flank and to maintain the advantageous post of Dodenhausen on which depended our retreat in case of necessity, our communication with the Weser and the security of the bridges thrown over that river some days before. The village of Dodenhausen was strongly fortified, and the enemy intended their chief force should be employed in the attack of this post, which was to be performed under the direction of the Duke de Broglie ; but he could never succeed so far as to make the smallest impression, chiefly on account of the constant fire from a numerous artillery, which never ceas'd so long as the enemy kept the field. The cavalry on this side also distinguished themselves, and tho' inferior in numbers, they broke and cut to pieces several squadrons of the French carabineers and gendarmes. In this manner the action continued warm and undecided till about 12 o'clock, when the disorder among the enemy became too general to admit of any remedy, and victory at length declared for the Allies. The enemy then retired in some confusion, repassed the defiles and took

shelter under the cannon of Minden. At night they crossed the Weser and continued to retreat after destroying their bridges towards the country of Hesse.

The British cavalry remained idle spectators during the whole of the action. Various reasons are assigned for their inactivity, but the public are pretty generally agreed in fixing the entire blame on their leader. However that may be, certain it is they must have acted with the greatest success had they been brought up in proper time. Our infantry might then have been supported against the enemy's horse, and the destruction, disorder and confusion these fresh squadrons must have occasioned amongst a retreating army, is indeed terrible but easy to be comprehended. Lord George Sackville commanded the cavalry on the right wing and incur'd the Dukes highest displeasure upon this occasion. His conduct was censured and condemned in the public orders of the army and an irreparable breach ensued between him and the Commander-in-chief. Lord George desired to be recalled; the King has granted him his request, and the command of the British is left with Lord Granby.

Our army incamped at night on the field of battle, which presented to the imagination a most dismal scene of horror and desolation. It required all the joy and elation of heart which is the natural consequence of victory to support the spirits on this occasion—too mournful to admit of any description. We could recollect many of our countrymen and acquaintances, some who lay dead on the field, others in their last moments. Here friends and enemies lay side by side and were equal objects of pity and compassion. But I must not dwell on the melancholy part of this glorious day—the source of so much joy, which in some measure decided the fate of a country threatn'd with all the violence of tyranny and oppression. I shall not pretend to estimate exactly the enemies loss in the above affair. 3,000 men are said to have remained on the field of battle, and near the same number of wounded left behind in the town of Minden. Not less than 5,000 have been made prisoners in the several encounters before and since the action, without including their loss sustained by desertion, which has weakn'd many corps, and in particular the Saxon troops, who are at present reduced to a very small number. Besides what is already mentioned 25 piece of cannon with many other military trophies of lesser value serve to grace the victory and make part of the spoils that have fallen into our hands on this occasion. Add to these great quantities of military stores, the papers and baggage of M. Contades, the whole of that belonging to Prince Xavier of Saxony, the equippages and plate of the Duke de Brissac, besides many other effects belonging to different officers in the French army. The first of August was everywhere fatal to the French arms, and is memorable on account of the double victory we obtained; for on the same day a large detachment under the Duke de Brissac was worsted and put to flight near Coeveldt by the Hereditary Prince, who proved himself greatly superior to his opponent in prudence and military skill. His dispositions on,

this occasion are much admired as they were formed with great judgment and executed with no less spirit. This defeat was attended with the loss of some cannon to the enemy besides several hundreds of them taken prisoners. These successes on our side have been attended with the happiest consequences to the cause we are engaged in. The French have been obliged to relinquish almost every advantage they gained during their rapid progress in the beginning of the campaign, and of course to lay aside for some time the schemes they had formed for the entire reduction of the country's in dispute. By their defeat Minden, a town of the greatest importance, is once more in our possession. The blockade of Lipstadt is long since raised, and we seem to be in fair way of making them retire from the lower Hesse as they have already done from Hanover, and the King of Prussia's dominions in this part of Germany.

This letter would not have reached you so late had time p[ermitted of] writing sooner. You will easily conceive the fatigues that must [be endured] while they continue in pursuit of another. We marched from th[is upon the] 4th of August, and passed the mountains and defiles near Bileveld [torn] . . . reach'd Paderborn and from thence marched into the country of Walde[ck and] are now incamped at Munkhausen not far from Marburg where the have their headquarters, and have now halted here some days, which has given me an opportunity of putting you in mind that there is still such a person remaining . . . Yours &c. &c.

282. Krofsdorff Camp, 6th October 1759.—Dear Brother, . . . Towards the latter end of August I wrote you a long letter which I expect has been with you some time. Since then our army has continued to make slow advance upon the French without exposing the troops to any extraordinary fatigue. The enemy, tho' harassed and provoked during the whole of their march, have been constant in their retreat from Minden to Marburg, where, having recovered a little from the consternation which their unexpected defeat had occasioned, they seem'd determined to make a stand in that neighbourhood. But as the entire evacuation of this part of Hesse could not be compleated if they were suffered to remain in possession of Marburg with the adjacent country Prince Ferdinand resolved to drive them from thence, and, if possible, oblige them to pass the river Lahn. In prosecution of this intention a detachment of cavalry was ordered to attack the advance posts of their army early in the morning of the 28th of August, while the hereditary Prince with a body of troops under his command should possess himself of the village of Wetter situate in front of their camp. These several attempts succeeding, a part of the army immediately moved forward and, having occupied the heights on the other side of the village, pitched their camp opposite to the reserve of the French army commanded by the Duke de Broglie. We now attempted to cannonade the enemy in their camp but without success. Their position was otherwise inattackable as neither art nor

nature had been neglected to render their situation secure from farther insult. However, the Duke with the main body of the army drew nearer in the afternoon and incamped behind the village from whence the enemy had been dislodged that morning. The French on the first alarm had struck their tents, and were under arms at the head of their lines during the greatest part of the day, but in the evening they returned to their camp, which they maintained for a few days, till at length, finding themselves closely pressed and the Prince making some dispositions as if he intended to direct his march towards Wetzlar, they resolved to break up their camp near Marburg, after throwing a garrison into the citadel of the town. After the retreat of the French from Marburg a small corps of the army invested the citadel, and the garrison, consisting of near 900 men, were compelled, after a short resistance, to surrender prisoners of war. Nothing of any moment has since occurred, and the army advanced without interruption to its present camp, where it has continued since the 19th of last month, advantageously posted and only separate from the enemy by the river Lahn who are incamped in three distinct bodies on the heights between Geissen and Wetzlar. . . . The dismal accounts we have lately received from your hero, the King of Prussia, affects us with the deepest concern. I am afraid M. Soltikoff has handled him pretty roughly, and that this last is the severest check he has received since the commencement of the war. But however he may extricate himself out of his present embarrassing situation, it is astonishing how formidable he appears in the eyes of his victorious enemies. Terrible even after his defeat, he commands respect by his skilful manœuvres, and though he could not gain the victory, his great genius prevents and destroys its consequences beyond human expectation. We were entertained not long since with a feu-de-joye within hearing of the French camp in honour of Admiral Boscauens success against the Toulon Squadron, and likewise for that of General Wunsch over 14,000 men belonging to the army of the Empire, who were routed and dispersed near Forgan by an inferior body of Prussians, their whole camp seized, several piece of cannon, together with many prisoners. This event will be particularly agreeable to those who have a just abhorrence of that infamous band collected under the title of the Execution Army, who never yet made any figure where they could be opposed, nor ever engaged but with dishonour to themselves and their leaders. . . . I ever am, Dear Brother, Your most affectionate humble servant, DAVID HOME.

283. Warburg Camp, 20th August 1760.—Dear Brother, . . . My last letter left us at Kille Camp which the army quitted in the night of the 30th of July and directed its march toward Warburg, where a large body of the enemies troops to the number of 30,000 had by means of several forced marches taken post the day before under the command of the Chevalier de Muy, having their right supported by the town of Warburg and their left extending towards the heights of Ossendorf and the village of

Mene. From the nature of this disposition they commanded the roads leading from Cassell to Paderborn and were enabled to possess themselves of the important pass of Stadbergen at pleasure, by which our communication with Westphalia must have been thereby greatly interrupted, and their army had got the start of us in case M. Broglie found it expedient to penetrate into Hanover on that side by Bielefeld and Minden. Prince Ferdinand, now judging it necessary to check the enemy in their rapid progress and prevent the bad consequences that might arise from their present situation, formed a design of driving back M. de Muy with his corps and if practicable to dislodge them entirely from their post. This was happily effected on the 31st of last month in the following manner. Our army after a tedious night march, being arrived at their place of destination without any interruption from the enemy, formed near the village of Corbeke, at the distance of about two leagues from the town of Warburg. At the same time the British Cavalry received orders to advance together with a brigade of heavy artillery and some regiments of infantry. As the cavalry marched with great expedition they were soon after formed in line of battle on the plain opposite to the enemies, squadrons who occupied the heights near the Castle of Desenberg. This position of our cavalry seems to have answered two different purposes, both as it served to amuse the enemy with the false opinion that the principal effort would be made on that side, and also that they were in readiness to be employed as a body of reserve wherever circumstances should make them most necessary. Meanwhile, the Hereditary Prince with the corps under his command, having proceeded by several secret and indirect routes, suddenly appeared on their left wing before they received notice of his march, which immediately obliged them to alter their position to prevent his turning their flank. M. de Muy now formed his army on the eminences near the village of Ossendorf, and finding his left wing had strong ground before it, he reinforced his right with all the cavalry where the ground is more open and better suited for them to act with advantage. The Hereditary Prince had marched in two columns by the villages of Dinkelborg and Ossendorf, the two battalions of British Grenadiers forming the head of the right column and the Brunswick and Hessian leading that on the left. As soon as the Grenadiers had got clear of the village of Ossendorf they formed and advanced briskly towards the enemy, but the first battalion receiving a full fire from the French infantry, had the misfortune to be thrown into a little confusion, by which accident the other was much exposed and, not being supported in time, suffered considerably. They however pressed on with the greatest bravery and resolution close to the enemies' line, attack'd them with infinite spirit and, after an obstinate resistance, obliged them to give way, being unable to sustain any longer the vigorous and repeated efforts of these brave troops, and their total defeat must now have ensued, if a brigade of Swiss had not seized the opportunity, while the officers of the first battalion of Grenadiers were employed in rallying and putting their men in order, to

wheel about and give the other a general discharge in their rear from all their musketry, which fire as [it] could not fail of doing great execution, obliged them to retreat by the other side of the steep hill where the French were drawn up towards the banks of the river Dymel. There the good countenance of the troops, together with the conduct and bravery of Major Maxwell, who headed the battalion, probably saved them from entire destruction. Notwithstanding this severe check they were afterwards rallied and throughout the whole action gave most convincing proofs of their extraordinary valour. By this time the first battalion of our Grenadiers were again formed and engaged the enemy with such success that a part of them were at length driven from the heights and forced to retire in disorder; which confusion being kept up by a smart and regular fire on our side was very instrumental in completing the defeat of the enemy and obtaining the advantage which afterwards followed. While the British were thus employed on our right the battalions of Brunswick, Hanover and Hesse were not idle. As these led the left column they did not reach their ground till some time after the head of the right was formed in order of battle; consequently were not so early engaged, tho' they arrived time enough to answer all the purposes of their destination. Like the British they were fortunate in every attack and fought with their usual spirit and alacrity. The French line of foot after a vain resistance was broke in several places, and in general so maltreated that their commander thought it advisable to make the necessary dispositions for his retreat, which they performed by their right, having a brigade of Swiss and some few French regiments as a rearguard, most of whom were either taken or cut to pieces; and their line marching off in some confusion suffered in proportion, being closely pressed by our Infantry, who destroyed numbers and even continued the pursuit to the opposite banks of the river. It was here the enemy sustained the greatest loss both in killed and prisoners, and to compleat their misfortune, many of their men in attempting to make their escape across the Dymel threw themselves headlong into that river, and being entangled with one another, were carried along by the stream and there perished without relief. The main body of the French army had already gained the other side of the river, and began to form on the opposite heights, in order to give their own rearguard time to join them; but these troops, tho' composed of their chosen regiments, were never able to make good their retreat. At first indeed they showed some appearance of resistance, but being vigorously attacked in front by the Brunswick Grenadiers, and at the same instant Conway's regiment of dragoons charging them in flank, they were entirely routed and dispersed, most of the surviving part surrendering themselves prisoners of war. On this occasion the aforementioned regiment of dragoons obliged 400 of the enemy to lay down their arms and greatly assisted the infantry in the defeat of the French rear-guard. This regiment and that late Cope's had been detached some days before to reinforce the Hereditary

Prince's division, which was the reason they acted separately from the rest of the British Cavalry.

These are some of the most material circumstances that contributed to the defeat of the French left wing and to the retreat of the whole corps which followed in consequence of the dispositions that were made to force their right. It must here be observed that tho' the attack on the French left was begun before two in the afternoon, we attempted very little on their right wing till towards the close of the affair. Thirty-eight squadron of cavalry were formed on this side, who in conjunction with Fischer's light troops, posted in the town and gardens of Warburg, covered the right flank of their army. So soon as the enemy was perceived to be giving way on the left, the Duke thought it a favourable opportunity to fall on this body of horse to advantage, and as the infantry of the army could not reach the enemy in proper time, he commanded the British cavalry, who had been formed at some distance in their front, to advance with the greatest diligence. The march was performed with the utmost expedition, notwithstanding which they could not come up early enough with the main body of the enemy, who, as soon as they saw our column of horse appearing, wheeled and galloped off in the greatest hurry and confusion. The principal object of our rapid march was hereby defeated, tho' we arrived in time to share in the honour of the day, and to do the enemy infinite detriment. Our business now from a regular charge was turned into a pursuit, and the enemy, already in disorder, was everywhere dispersed and put to flight. Great numbers of them were made prisoners, with little loss on our side, except what was sustained from the Irregulars who lined the gardens and hedges near the town, which at first rendered our approach both difficult and dangerous. Of the whole, three squadrons only kept their ground, and these were charged with such impetuosity that very few escaped. Some pieces of cannon were likewise taken, which the enemy endeavoured to carry off, but were prevented by the quickness of our march. Lord Granby led the cavalry, and every regiment behaved with great spirit and boldness during the whole affair, and gave infinite satisfaction to the Duke, who expressed his highest approbation of their conduct and performances.

It became now impracticable to continue the action, all the enemies' troops having by this time repassed the Dymel, in which they were greatly obstructed by the quick arrival of a brigade of heavy artillery under the command of Captain Philips, who annoyed them extremely while they formed on the other side and afterwards obliged them to pursue their retreat to the heights of Volkinissen, where they lay under arms that night, and fell back next morning to Wolfshagen towards the army under Marchal Broglio. That evening Lord Granby passed the river in pursuit of them with 12 battalions and 10 squadrons; but the country being strong in that part and the ground very woody and difficult, besides both the cavalry and infantry being almost exhausted with their great fatigues, this detachment was halted on the heights of Welda about three or four miles from Warburg. It is computed from

good authority that the French army sustained a loss by this defeat of above 4,000 men, including killed, wounded, prisoners and deserters (which were very considerable), besides cannon, baggage and colours. The French have indisputably received a very great blow from this defeat, as it has greatly disconcerted their plan of operations and will probably have a good effect on the future events of the campaign. We can perceive their ardour considerably abated since the 31st, because from the commencement of the active part of the campaign we had in the most literal sense lived in perpetual fire and smother, never enjoying a moment's quiet, which caused the Duke to say that since the first beginning of his warfare he had never known so much powder consumed in so short a time. At present, tho' we cannot brag of our tranquillity, we are not quite so much harassed and fatigued. Such was the end of this important advantage, which was chiefly owing to the prudent measures of our commander, and the secrecy with which he moved his army from Kalle Camp to their present ground. Tho' encamped almost in view of an active and watchful enemy, he found means to conceal a march of many leagues till he had got so far the start of his adversary, that the support of his detach'd army was no longer in his power.

The evening of the engagement the army pitch'd their tents near the field of battle and next day encamped with their right to Warburg and their left to the village of Rosbek. The corps de reserve under General Sporken occupied the ground of the old French camp between Warburg, and the heights near Opindorf. The Grenadiers of the army with two regiments of Highlanders were advanced on the eminence in the front of this corps. General Malsberg, with some battalions and squadrons covered the right flank, and the Prince of Anhalt with another detachment the left of the whole army. M. Broglie, who had his headquarters the 31st of July, at Freinhagen, between Corbach and Cassell, marched from thence the 2nd inst. and incamped on the heights of Warburg, extending his army in separate corps along the south banks of the Dymel with the left near Stadbergen and the right stretching down towards Helmershausen. The two armies, including the several detachments, cover each of them a tract of country near thirty miles in length from right to left. Batteries and redoubts have been erected on both sides and different movements and changes daily take place. Both parties are in possession of very advantageous camps and diligently observe each others motions without caring either to be the aggressor in making the first attack; so that in spite of M. Broglie's threats, it does not seem probable that the two armies will come to a general engagement while they continue on their present ground We have had a most uncomfortable season for our military operations; such deluges of rain and piercing cold weather as hardly anyone remembers at this time of the year We have lately received the most agreeable accounts from Saxony and the King of Prussia, who has given a fresh specimen of his military skill by falling back upon Dresden

when the wary Dann thought his sole intention was to penetrate into Silesia. However, he unluckily miscarried in his attempt on that city and consequently in making himself master of the Austrian magazines deposited in the place. His Prussian Majesty has been more fortunate in his attack of M. Landohn whom he is said to have totally defeated. In this battle 4,000 were killed, 7,000 made prisoners, and 96 pieces of cannon taken from the enemy. On the other side 4,000 Russians who had invested Breslau with a design to storm that place, have been surrounded by the gallant Prince Henry and obliged to surrender prisoners of war with very little loss; and the Prussian General Hulsén has obtained a third victory over the army of the Empire, whose fate it is to be constantly doom'd to infamy and disgrace. The Duke has received a courier confirming the first victory; the others, we hope, are no less certain. . . . I am, Dear Brother, Yours most affectionately, DAVID HOME.

284. Dear Brother, I wrote you on the 20th of August from Warburg Camp, and I now write you once more from the same place. After various movements to our right and left we are again arrived on the same spot where the army lay encamped untill the latter end of last month. As I intend conveying to you by this letter a general idea of the army's operations for some time past, and likewise the particular services our regiment has lately been employed in, it will be proper to give some account of the first movements that were ordered by the Duke soon after and in consequence of the advantage gained over the enemy near Warburg.

The first position taken by the army after the battle I mentioned in a former letter. It continued the same without any considerable alteration till the 6th of August. Advice was then received that a large corps of the enemy had marched by their left with an intention to dislodge our light troops from Stadberg and occupy the narrow passes which command the Dymel near that town. This motion necessarily produced another on our part to oppose that corps and sustain the troops who were already in possession of the defiles. The Greys, with 12 squadrons and 11 battalions, under the Hessian General, Wutgenaw, in the absence of the Hereditary Prince, then indisposed, were detached that afternoon, and continuing their march all night entered the Plain of Meerhoff on the morning of the 7th, expecting to find the enemy ready to receive them, as the lower town of Stadberg had been attacked the night before and our irregulars forced to retire on M. Bulaw, who commanded the British Legion encamped near the village of Essen. Happily the opposition they had met with from our light troops and the time required for passing any considerable body of men, rendered their attempt to seize that important pass unsuccessful. Only a small number of the enemy had got clear of the difficulties in their way, and these repassed the river with the utmost diligence on hearing of our approach. Having evacuated all their posts on this side of the Dymel, M. de Muy, with 20,000 men, fixed his

camp on the opposite bank, and our corps about noon pitched their tents, with its left to Meerhoff and its right inclining towards Stadberg, and the river in front. The boundaries of the two armies were now pretty well ascertained, being separated from each other by the river and its steep banks, from whence it was probable that nothing of consequence would be undertaken for some time, and under this security we remained quiet till the eight, when several motions in the Duke of Broglio's camp agreeing with the secret intelligence received by Prince Ferdinand, plainly indicated the enemy's intention to pass the river and attack our main army, under favour of a strong cannonade upon Warburg, which town was now situate almost in the center of our army, as it covered the right flank of that part commanded by the Duke in person, and the left of the detached corps under General Sporken. In consequence of this advice our regiment and some battalions of infantry received orders to strike their tents and march at midnight with all possible expedition to reinforce the right of the army near Warburg. This order was executed with the greatest promptitude and these regiments performed in less than seven hours a march which two days before employed them almost fourteen. Nevertheless, contrary to all expectation the whole ended in French parade, and next day at 11 o'clock, we took a separate encampment as a corps de reserve in the rear of the army with orders to be prepared for every event and in constant readiness to march. We remained in this state of uncertainty exposed to continual alarms for several days, and then removed from our present ground in the night of the 18th and took post on the right of the line commanded by General Sporken. There we supplied the place of some squadrons sent to reinforce Major General Malsberg's corps on the heights of Scherffde who were threatened with an attack from a body of the enemy who had taken post opposite to them near the town of Rhoden on the borders of the Dymel. But this enterprize, as often happens on the like occasions, never was attempted, so that on this side the labours of three weeks amounted only to different movements of particular corps and some few skirmishes between the light troops and advanced posts of the respective armies. While the chiefs of both armies were thus mutually employed in counteracting each others designs and by a close attention to the least motion on either side disconcerting every project formed to their disadvantage, the corps detached on the left of the Duke's army for the protection of Hanover, and that from the right of the French intended to improve their success on the side of Cassell and Munden, were more active in their operations and likewise more decisive in their consequences.

Prince Xavier by his great superiority, while the principal part of our army was more essentially taken up in striking the important blow near Warburg, having forced General Kilmansegge from his camp at Cassell and obliged him to pass the defiles of Munden, entered these towns, and with the same ease and rapidity seized Gottingen and Eimbeck; by which means the enemy once more got footing in the Electorate and were enabled to

push forward into the country large bodies of their irregulars, as Prince Xavier had encamped at Dransfeld on the other side of Munden, and supported these incursions with twenty battalions and thirty squadrons. In order to oblige the enemy to quit this position, so favourable for their main design, M. Luckner at the head of his hussars, joined by four battalions of regulars, was sent beyond the Weser; while a considerable corps under the Hanoverian General Wangenheim was ordered to observe the division of the enemy posted between Munden and Gottingen. Luckner knew so well how to avail himself of the advantages arising from a perfect knowledge of the country that he disposed his troops in such a manner that the different parties of French Irregulars, who had overrun a great part of the country, were attacked almost at the same time and defeated in several rencounters, particularly at Eimbeck and Northeim, where after a sharp skirmish 400 of the French cavalry were obliged to lay down their arms and surrender at discretion. The advanced posts, being now assailed on every quarter and being no longer able to maintain their ground against M. Luckner and his hussars, were expelled the country in less than ten days and forced to seek protection in the neighbourhood of Prince Xavier's corps. Encouraged by this success a plan was formed, not only to prevent that body of the enemy from advancing farther into the Electorate, but even to attempt, by means of our bridges on the Upper Weser, to cut off their communication between Munden and Dransfeld. The corps of troops encamped at Beverungen under Wangenheim, having received the necessary reinforcements from the Duke's army, were destined to take possession of the narrow pass at the town of Munden, which being once carried would have rendered Prince Xavier's retreat extremely hazardous if not impracticable; and the French reserve of the right wing might then have suffered the same reverse of fortune which their left experienced a few days before in the fields of Warburg. To facilitate the execution of this enterprize two thousand French posted in a wood near the confluence of the Dymel with the Weser in order to get information of all our motions, were attack'd by a corps of Hanoverians with so much vigour that the enemy was soon obliged to yield and retired as fast as possible towards Munden. However, this hasty retreat was not accomplished without the loss of many killed, besides above 200 made prisoners, with three pieces of cannon. This previous but necessary attack towards the execution of the other parts of the plan gave the enemy room to suspect that something of greater consequence was intended. Therefore, not choosing to wait the event Prince Xavier had orders to withdraw his troops from Esbeck in the neighbourhood of Gottingen, and prudently retired to Mulhausen, and is thus by degrees drawing nearer the main body of the French army. Tho' all the parts of the plan for attacking Prince Xavier's army could not be executed, it has nevertheless been attended with very favourable consequences, especially in relieving the greatest part of the Electorate from the heavy exactions imposed by the enemies' troops and circumscribing

their future incursions within narrower bounds, supposing it impracticable at present to cover that country effectually.

It would be endless were I to enter into a minute detail of every skirmish that happens between the advanced posts of two great armies, or the various successes which often attend these accidental engagements. The loss for the most part is inconsiderable, and the consequences never decisive to either side. A post is attack'd and carried; soon after a reinforcement or perhaps a fresh body of troops arrive; the victorious hussars precipitately take to their heels; a few lives are lost on each side, and things remain in the same state as before the encounter. Such was our situation till the 21st of August, when it appeared that the enemy, by collecting their whole force to one point, either intended to bring on an action, or that they were meditating a retreat. The Duke prepared for both, but M. Broglio, thinking the latter more eligible, recalled the detachment of his army posted at Stadberg, and ordered the other corps advanced to fall back on the main body. The heavy baggage filed off towards Cassell and every incumbrance was removed that could impede the march of the army. Prince Ferdinand, attentive to these preparations, ordered the camp at Mierhoff to be struck on the 21st and the troops to rejoin the army.

The whole French army was put in motion early that night and were already in full march by their right towards Cassell before break of day. Our hussars and light troops directly passed the river in pursuit of them, and soon after the Hereditary Prince at the head of a large detachment followed to harrass their rear and endeavour as much as possible to gain the enemies left flank, where it was supposed he would make the greatest impression. As our regiment has hitherto had the honour to accompany the Prince in all his expeditions, we were as usual comprised in this detachment. The Inniskilling Dragoons were joined to us; which was all the British Cavalry he carried along with him. Two battallions of Grenadiers, two of Highlanders, with Home's and Kingsley's composed the Infantry. The rest were foreign regiments, and the whole formed a corps of 12,000 men. The retreat of the French was greatly favoured by the woody and broken country we had to pass through, and in short, on account of these interruptions it was impracticable to engage any considerable body of the enemies army till late in the evening. About noon the troops were ordered to halt three leagues on the other side of Warburg, and a camp was assigned them between the villages of Brune and Nieder-Élsingen.

The old French camp was at a small distance in their rear, and the light troops were ordered to occupy the post of Zierenberg about two leagues in the front of the new camp. Keith's Highlanders and the battallions of English Grenadiers followed to support the Irregulars in case of need. As the French rearguard had not as yet cleared the avenues leading to the town, our light troops encountered them on their march and a sharp skirmish ensued which both sides maintained for some hours with equal

obstinacy and dubious success. At length the enemy, by advancing their piquets and some regiments of Dragoons, pressed these troops so close that in the end they were obliged to give ground with some loss ; but animated by the bravery and activity of the Hereditary Prince, who had now joined them, they prevailed upon to renew the fight and amuse the enemy while a reinforcement from camp marched to their assistance. The battallions of Highlanders and Grenadiers were yet at a great distance, and the principal force of the enemy consisting in cavalry, the Prince thought proper to send orders for the Greys and Inniskillings to march immediately from their camp, directing them to repair to him with the utmost expedition. The regiments had scarcely taken up their new ground when this order arrived so that they instantly got under arms and proceeded without delay to their intended destination. The ground we marched over is tolerably open and rises gradually to form the heights that overlook the town where the enemy maintained their post. We came up with our infantry before they had compleated their march, and the following disposition was resolved on. Our light troops advanced forward to skirmish with the enemy, while detachments of the grenadiers were posted in the most convenient places and lined the borders of the wood and hedges at the entrance into a narrow road which leads to more open ground near the town. This precaution was necessary to cover our retreat in case we had been repulsed ; and the remainder of the battallions followed to sustain the cavalry forming on a rising ground in their rear. The town of Zierenberg is encompassed with high hills entirely covered with wood, and tho' not a place of strength it has the remains of a wall and gates sufficient to secure it against any sudden attack if properly defended. Adjoining to the town are gardens and inclosed fields with hedge rows that run parallel to each other. These render the approaches to it very difficult. The enemy wisely took the precaution to occupy the inclosures and drew up their infantry in ranks behind the hedges. Their cavalry, consisting of the brigade of Royal Dragoons and the regiment of Thianges headed by the Duke de Frousac, was formed before the avenue at the entrance into the town and covered by the infantry posted in the gardens. Secure in this position they resolved to stand their ground and wait the event.

Our squadron formed in line as soon as they got throw the narrow lane. At the same time the Hereditary Prince joined us and advanced in person at the head of the Greys. In this order we marched over some unequal ground till coming within musket shot of the enemy we received a full fire from their infantry directed obliquely on our right flank along the front of our squadrons. In spite of this unforeseen attack our men, under a continual fire of small arms, advanced with the best countenance and broke through the enemies' cavalry and soon dispersed their whole body, part of whom endeavoured to make their escape into the town and the remainder fled precipitately into the inclosures and hollow ground, where they lay concealed till

night favoured their retreat. The troops, now transported with their success and despising danger, rushed on towards the town and attempted to storm it. Several of our men fell unhappily while they bravely endeavoured to force open the gates; but the enemies' infantry still keeping possession, it was impossible to succeed, and fortunately we did not. Coop'd up in a narrow pass we made a column of four score yards in length, and had not the enemy in their consternation neglected taking advantage of our circumstances, the consequences might have proved dangerous. The Prince, apprised of the danger, gave orders for our retreat; and soon after, the enemy having retired, the grenadiers entered and took possession of the town. We engaged the enemy about sunset, and tho' the action was soon decided in our favours, it was too late to think of a pursuit; and of course the prisoners were few in number, excepting those who remained wounded on the field. If night had not come on the enemies' whole corps must have been taken or cut off, as all the outlets from whence they escaped might easily have been secured. In this trifling affair, our regiment had twenty seven men killed and wounded. Colonel Preston, being thrown from his horse, was much bruised by the fall. No other officer received any considerable hurt. The Inniskilling Dragoons behaved with great spirit, but suffered very little in comparison. One of their squadrons, acting as a reserve, did not engage, and the other was fortunately not so much exposed to the fire of the small arms. During this night the troops continued under arms, and returned next morning to their camp at Brune without any molestation from the enemy.

Notwithstanding the retreat of the French in the night of the 22nd of August, the Duke did not judge it necessary to make any immediate change in the position of his army. Only a few regiments marched to cover his quarters, which he transferred from Warburg to Buhne on the 24th, and the whole army came and encamped on the 28th with their right wing to Libenau and their left to Dringelborg, still occupying the left bank of the Dymel. The corps under the Hereditary Prince kept the same position from the 22nd to the 30th at night when they received orders to break up their camp and repass the Dymel; after which the army was to form between Warburg and the Hill of Deunberg. In this order they remained till seven in the morning and then encamped on the ground they now occupy.

Our young commander, indefatigable in his disposition and eager to seize every opportunity of distressing the enemy, is in continual exercise of his great talents for military affairs. Hence it often happens that while the rest of the army are quiet in camp, his corps has quitted their tents and [is] in full march to surprise a post or occupy an advantageous piece of ground; sometimes to carry off a General who is advanced too far or not sufficiently on his guard, and at another in the execution of some enterprise of greater importance which he has beforehand digested. It was in consequence of this active spirit, accompanied by the same prudence and caution that has hitherto distinguished his military

performances, that his late attempt to surprise the town of Zierenberg was successful, and that with the loss only of ten men killed and wounded he took or destroyed above 800 of the enemy, brought off a Brigadier, a Colonel and forty officers prisoners, together with two pieces of cannon; and if the time would have permitted the entire regiments of Dauphiné and Clermont, amounting to 2,400 men, must have shared the fate of their unfortunate brethren.

The Hereditary Prince having formed his plan of attack on the visible remissness of the enemies' patrols and outposts, on the 6th of this month five battalions and eight squadrons, leaving their tents standing, marched in the evening without the least knowledge of their destination. They crossed the Dymel near Warberg, and having traversed part of the old French camp, the column was ordered to halt and the troops disposed in the following manner. The four squadrons of the Grey and Inniskilling Dragoons drew up at the entrance of the Wood of Malsberg to cover that opening and preserve our communication with our camp at Warburg. A battalion of grenadiers occupied Malsberg, and two regiments of infantry, supported by four squadrons of Hanoverian dragoons had different posts assigned them between the ruins of Malsberg and the town of Zeirenberg. M. Bulau with the light troops under his command took post between the French camp and the town in order to intercept whoever should attempt to pass that way and cut off all communication with the enemy's corps. These troops were posted in the above manner to guard the passes and secure the retreat if the enterprise had proved unsuccessful. Maxwell's battalion of grenadiers and Kingsley's regiment of infantry yet remained. To them one hundred and fifty Highlanders were added for a vanguard, and this corps had orders to pursue their march in the utmost silence. Being arrived within a short distance of the enemies' advanced posts, the troops separate and took different roads, that the town might be assailed in several places at the same instant. Every part of the Prince's scheme succeeded to admiration. The Grand Guards and piquets, thinking themselves secure from their vicinity to M. de Muy's camp, gave very little interruption to the troops while they advanced, and tho' they challenged, the alarm was not communicate till too late to be of any service. A few random shot from the piquets gave the signal to the garrison that an enemy was approaching, but already their outposts were routed, the gates seized and their guards disarmed; and having thus conquered every obstacle, the troops rushed forward and spread universal terror and consternation. The imagination can hardly paint a situation more full of horror and dismay, nor is it possible to describe the indiscriminate rage and fury of the soldier during the night attack—

Luctus ubique, . . .

Ubique pavor et plurima mortis imago.

The affair would have been less bloody had the enemy tamely submitted to their fate and surrendered themselves prisoners

without running to their arms ; but on the contrary in the hurry of surprise, despair assuming the place of reason, they foolishly attempted a vain resistance. In this state of distraction they endeavoured, but were never able, to assemble in a body. Some fired from the windows and others mounted their horses and charged naked in the streets, all of which terminate in their own destruction ; for our soldiers, now exasperated, and in their own defence, made terrible havock for some time. Numbers fell by the silent point of the bayonet (the use of firearms being strictly forbid) tho' all who asked received quarter after the first onset, and as much humanity was exercised towards the unfortunate as could be expected in the midst of so much confusion and disorder. The approach of day put an end to the affair, and the Prince ordered the retreat in about an hour after the troops entered the town. We had the good fortune to return back by the same route we marched and arrived at our camp next day in the greatest tranquillity without being molested by any party of the enemy. . . . Believe me always, Dear Brother, Yours most affectionately,
D. HOME. Addressed to Patrick Home of Billy Esq., at Wedderburn, near Berwick upon Tweed, par Londres.

285. Commission to Mr. George Home, W.S. to be one of the six ordinary clerks of Session, the post falling vacant by the death of Mr. Alexander Tait ; dated at St. James's, 14th July, 1781.

286. Commission to Mr. George Home as Clerk of the Register of Taillies and Inventories of heirs served with benefit of Inventory, which has become vacant by the resignation of Mr. Archibald Campbell, one of the six ordinary clerks of Session ; dated at St. James's, 27th February, 1785.

Letters from Henry Mackenzie, Author of "The Man of Feeling," &c., to George Home, of Paxton ; &c. in connection with The Mirror Club.

287. Letter, indorsed "Invitation to McKenzie, with the answer, 23^d December, 1781."

"To-morrow (four o'clock) at Thommys dine
A select few and quaff good claret wine;
That Bard Mackenzie and his song be there
Is their united wish and earnest prayer.
Saturday (Initialled) R. B. ; A. A. ; G. H. ; W. D. ;
B. W. M. ; I. G. ; W. C. ; A. O. ; I. P. ; R. S."

On the other side of the sheet is Mr. Mackenzie's reply, addressed to Robert Sinclair, Esqr., Advocate, Mills' Square.

"Your Bard (since Bard your favor calls him)
With your kind summons had comply'd,
But that a whoreson Tooth-ake galls him
And pins him to his chimney-side.

His aking jaws and gums so sore
Forbid to trust the Evening air,
Tho' strongly tempts at Two and Four
The eloquence of either Blair.

And modern Minstrel ill foregoes
 A share of such good cheer and wine,
 Besides your Billet plainly shews
 What Men of *Letters* are to dine.

Brown Square, Sunday morning.

H. M."

287a. Edinburgh, 8th September, 1787 :—My dear Sir, I am just setting out for the country (after having stay'd to see Mrs. McKenzie in the way of recovering very well from her lying in) where I shall probably remain till towards the middle of October. I have, I think, left no material business unsettled, except with you, *i.e.* as to the copy money of the LOUNGER which I have received part of and should have deposited it in your hands, but for two reasons ; the first that I wished to give you the neat sum after settling it finally, the second and I will frankly own the most efficacious one, that I applied most of the money already received to another purpose which I confess was a private one, but which I believe the Club would not have scrupled to lend me the money for. When I return I will settle the remaining sum with the booksellers (which it is chiefly my fault not to have been settled now) and pay the whole in to you. I hope you have found the country as you wished to find it, both as a farmer and in every other way. I am ever, My dear Sir, yours most truly,
 HENRY MACKENZIE.

288. Brown Square, Saturday, 19th January, 1738 :—My dear Sir, I send by the bearer £300, being the full copy money of the LOUNGER, which, if you had not learn'd by your practice among country gentlemen to be an indulgent creditor, you should have craved long ago. If you think it necessary send me (in the . . . Asiatic language of Messrs. Stuart and Fraser) "a chit or note or some such acknowledgement," or if you are to be at the Club tomorrow, bring it thither, that (to continue the same gentlemen's phraseology) "if we should walk off, our heirs" may see that the Book was worth something. Yours ever, HENRY MACKENZIE. (On the back Mr. Home has noted) "By the advice and concurrence of Abercrombie and Craig, paid the money in to Sir William Forbes and Co. on their note, and in the name of the Mirror Club, sent it to Mrs. and Miss McKenzie, 22d January."

289. Brown Square, Tuesday, 22nd January:—Mrs. Mackenzie has been too long conversant with the Mirror Club not to know in the present case where Lounger Hall is situated ; begs leave therefore to address thither her and her daughter's very gratefull thanks to the members of that Club for their Card and its inclosure. (Addressed) George Home, Esq.

290. Brown Square, Tuesday, 22d January, 1781 :—My dear Sir, I need not tell you the reason why the inclosed receipt is returned. Mrs. Mackenzie has just shewn me the latest production of the Mirror Club, which is undoubtedly one of the best papers they have written tho *apparenment* neither Monsieur Beattie nor Monsieur McK. had any hand in it. To be serious, the receivers

of it will not affect to despise the gift for its own sake; but they will be believed when they say they prize it the more from the way it came in. And they need not use many words to thank people in whom they do not consider it as anything extraordinary to do such things. Yours always, H. M. (Addressed) George Home, Esqr., Cannongate.

291. 22, Fludyer Street, London, Monday, 26th March, 92:—
My dear Sir, I have told Abercromby in a letter written this morning that I was to write you a long one, in the full and fair intention of which I began this, tho' I may not, perhaps, find it possible to end it so as to go by to-day's post. I dined, Saturday, with your friends in Wimpole Street whom I am happy to see so well. Mr. Home of Wedderburn was also there, who, tho' deaf, seemed in good health and spirits, in better spirits, Mr. Campbell told me yesterday, than he had seen him for a good while past. But tho' the dinner was excellent and the wine the best I have drank in London (too good indeed for me who am still somewhat of an invalid), I had an objection to the entertainment. It was a *male* party, Mr. Hom[e's wife] not being with us. She had, however, a good party, being at the Haymarket Theatre seeing Mrs. Siddons in *Isabella*, which I understand she played most admirably, and with little less effect than on her first appearance in it. I get to scarce any public place, so I shall probably reserve all my entertainment from Mrs. S. till she makes her expedition to Edinburgh, which I understand she proposes to do next month. I see no sights except that old fashion'd drama which *Heraclitus* found a tragedy, *Democritus* a comedy, and which some philanthropic misanthropes in all ages have called a farce. Here it partakes, I think, of all three. You will see the daily accounts of it in the newspapers, the publishers of which are in general wonderfully well informed of everything, tho' they are not always impartial in the relation of them. Of what people *say* indeed they give a tolerably authentic account. From that department of their intelligence you will see the Ministry is on velvet in the House. But they are not quite so much so out of doors as we used to think at Edinburgh and as every lover of his country (I speak it most impartially and from my conscience), would wish. There is a spirit of sedition gone forth of which it is very difficult to tell the extent, but even if not so considerable as some timid people fear, is so restless, so busy, so zealous, as to be truly alarming to every considerate man. I heard the other day in a large and well-informed company a very moderate and sensible man say, he was not afraid during the life of the present King, but he actually believed the people of England would not suffer *Monarchy* in the hands of his successor. The manners, the society, the extravagance of that successor are one of the most dangerous circumstances in the present position of the country. They have stuck up on all the squares, etc. for a week past the words "*Ca ira*" in large characters; and a party evidently scattered up and down the

House on purpose called loudly for the tune at the Haymarket on Saturday. Palmer came forward and with a sarcastic archness which did more credit to his vivacity than his prudence said when he at last procured a hearing that that air belonged to Sadler's Wells. The party were not considerable enough to resent this speech. Another party called for "God save the King." The moderate people wished no tune at all, and neither were plaid. But this tho' a trifle is a speaking symptom, as a pimple on the nose may indicate foulness in the blood.

Such in some measure have been the effects of the imprudence and indiscretion of a man of genius, for it is only in the power of genius to have so much effect in its indiscretion. Burke's book, though it did not create (torn) forwarded and strengthen'd this seditious inflammatory spirit in the people. He first drew that very imprudent comparison betwixt our constitution and that of France, which designing men have since made so much use of. He made it by the force of genius of his touch the theme of every town, village and house in Great Britain, and he exposed by the weak parts of his book the great political truths which it contained to the attacks of every opponent. Abercrombie will remember my venturing with more honesty than politeness a prediction of the effects of his two publications last summer at Wimbledon, and I then offered to write a few pages which I thought might have some tendency to prevent those effects. But all our friends were then so full of his work that they could see no imperfection in it, and my offer (luckily for me, perhaps) was not accepted. They even tell me at this moment that it did good by opening the eyes of the Duke of Portland, Lord Fitzwilliam, etc. It is not from such men that anything is to be feared. Mischievous writings have little effect on men who think of their subjects; they operate on those only who read the writings but are ignorant of the subject. From my communication with men of letters here I can perceive that they are generally on the side of the malecontents. Our friends are a little deficient perhaps in a proper attention to literary men. They pay handsomely enough the lower order of them for paragraphs which are often so sharp and fulsome as to do harm, but they do not cultivate the few superior men among them whose writings or conversation could avail a good deal in giving a tone to the sentiments of the country. And in this respect the extreme parsimony of the King is almost as hurtfull as the dissipation and extravagance of his son.

I have wrote a most unconscionable letter; yet perhaps I could say more did not the watch that lies before me warn me of the hour. I have not time to read over what I have written. Pardon its inaccuracies therefore, and forgive the assurance and freedom with which it is written. I give only my speculations, but not as of any authority; yet they are founded on some observation, some information, and some reflection. My best wishes to all your neighbourhood. Your very faithfull and affectionate, HENRY MACKENZIE.

292. Tax Office, Edinburgh, 5 December 1808 :—My dear Sir, Tho' I have a particular object for this letter, yet, exclusive of that I am very well pleased with an opportunity of indulging in a correspondence which I hope you will not think troublesome. At my time of life one loses from various causes so many friends that one is unwilling to allow those who still remain to be estranged from one by an inconsiderable distance of place. We have been flattered with the hope of seeing you and the ladies in Edinburgh this winter, but in the meantime I would [crave] your remembrance by requesting a letter any day when you are quite at leisure ; and at this season of short days and indifferent weather there is much more leisure in the country than when there is more daylight and clearer skies.

It has been suggested to me to write some Memoir on the Life and Writings of JOHN HOME, who, I confess, I had regretted to find so little noticed at his death or remembered after it. I was willing to undertake this work (even amidst the hurry of this place) provided I could find proper materials for the purpose. For that purpose I have applied to several friends and acquaintances of Mr. Homes. It has occurred to me also to apply to you in the belief that from your situation and common acquaintance with several of his contemporaries you may be able to afford me some information both with regard to his private history and to that of his literary life, and the reception of his dramatic works, particularly of DOUGLAS, which I reckon a sort of era both in the literary and ecclesiastical annals of Scotland. It will be very obliging if you will communicate to me any information you possess, or on recollection you can call up on those subjects, and if you have any of the poems, squibs, etc., published at the time of the appearance of Douglas (of which I had once a collection but have somehow lost), it will be a great favour to let me have a reading of them, mentioning, if you know, the names of the authors. If any of your neighbours or acquaintance in Berwickshire or East Lothian can afford such information, your writing to them on my behalf, mentioning the object, would, I think, procure such.

So much for the present object of my correspondence. I now look back to a letter of yours which I received just before I set out for the North country, my jaunt to which was of material service to my health. I laid me in, I hope, some stock of health for the Winter. I have now, moreover, the advantage of my son James's assistance in this office, whom the Treasury has been good enough to name my assistant with a very gentlemanlike allowance of £400 a year. It was in truth an appointment absolutely necessary from the prodigious increase of business, some of a quite new kind, coming upon me at a time when I was growing old and when my health was a good deal affected by the labours of the old business. How do the farmers with you talk of the *Property Tax*, and do they complain ; or have they equal reason to complain of it as their brethren in Roxburghshire and Northumberland ?

In that letter you talk of the new edition of my works to which

I reckon it no small compliment that you seem to have allowed it so much of your attention. But I think the reference to Spain in the Spanish Father an *Auberpoba* (?) fully as singular as the passages you mention in the other tragedy. Read the character of Alvarez and I think you will allow that when it was recollected that it was written 40 years ago, it looks like a prophecy of the administration of the *Prince of peace*. I see many faults in that tragedy, and particularly, perhaps, as Garrick said, in the Catastrophe; but I think the first 4 acts made it worth the preserving, and indeed among the best and most striking of my compositions. But an author is not a good judge of his own compositions.

I have just come from sitting an hour with our friend, Lord Melville. He is going to London, but whether to become one of Administration or not I do not pretend to guess. He seems to make no secret of his displeasure with the Acts of the present administration; perhaps too little so; but you know his openness, I might say unguardedness in that way. He is vastly well in point of health and says that in order to preserve it he must leave Edinburgh and its dinners.

Did you read the Article on Cevallos in the last Edinburgh Review? It is as absurd as Sir F. Burdett, and as blackguard as Cobbet. Most of our friends, and indeed most other respectable persons, tho' of the opposition party, have given up the Review on account of it. Look at the *Sun* of Monday last for a letter of observation on it. It is said to be written by a friend of mine in London. By whomever written I think it well done, and not the worse for being moderate and gentlemanly.

Our friend Blair goes on with the most universal approbation as President and the new system seems not less generally approved of. The expedition of the business, my son tells me, will soon clear off all arrear in the Court of Session. But what measure is to be taken to clear off that of the House of Lords, which is a very serious grievance? I think simple enough methods might be suggested, and I hope they will be suggested. I hope we shall soon see you here. Meantime make my respects to the ladies and write to me such a return as this long letter deserves. Yours always most faithfully, H. MACKENZIE.

293. Tax Office, Edinburgh, 19th February 1814:—My dear Sir, I think I said to you on a former occasion that I was glad of any opportunity of hearing of or from you. It is from this motive chiefly that I lay hold of what you may think a remote occasion to write this; but I do not think it requires any apology; and tho I have more writing than enough, and you may perhaps feel not much inclination for it, having better occupation in your books, your pictures and your farm, yet I rather think that occasional correspondence would do you no harm and I am sure it would do me good.

The subject of this, however, is a book which my young people put into my hands, of which I have glanced over the whole and read, fairly read, a considerable part. It is the new work of a lady, certainly of very great merit in her line, *Miss Edgworth*,

PATRONAGE, of which everybody now talks here ; perhaps the more that the state of the roads prevented its reaching Edinburgh so soon as it otherwise might have done. Has it reached Berwickshire or Paxton ? I wish you to read it, because the subject is one on which yourself wrote two excellent papers in a work which I hope you have not forgotten, *THE MIRROR*. I will say to you with the most perfect impartiality, I like your way of treating the subject better than the *Lady's*. I think it is more delicate, has more feeling, and, it seems to me, more use at least in this particular, that her objects of patronage are persons who neither from virtue nor talents were entitled to succeed without it, and therefore carry home less of moral effect than *Antonio*, who had talents and virtues to have been both eminent and happy had they been left to their native growth and not spoiled by the hot-bed of patronage and ill-assorted friendship. But I am anticipating Miss Edgeworth's story which I hope you will read

[The writer then refers to the return of his son Hugh from London on account of his health ; to the weather ; to the rumours of war, and then proceeds] . . What do you say (to come down to private gossiping) to Lady Melville's marriage with Mr. Wallace, which I understand was to take place yesterday ? I think her marrying was not very necessary ; but I hear her new husband well spoken of, and I know he has a considerable fortune and a very pretty place (near Penrith) which I used often to admire in passing. I met your friend, Lord Reston, in coming just now to this office. He is remarkably well and seems very happy ; and I learn from my sons that the public are very much pleased with him. With kind compliments to Miss Stevens, Yours most faithfully,

H. MACKENZIE.

294. Tax Office, Edinburgh, 8 July 1814 :—My dear Sir, It was only within these two or three days that I received the papers which I mentioned having a wish to submit to you, and which I will send to anybody in Edinburgh thro' whose channel any parcels are sent to you whom you will mention in a single line in answer to this. Constable, the bookseller, is very desirous to have them published in some shape or other ; but as he would look for profit from the adventure I do not hold his authority in much estimation. I do not know a pleasanter occupation than that in which you describe yourself as engaged. You will be often crossed in the way by curious books, or passages in books, which tho' not immediately pertaining to the object in which you are engaged, must form a very entertaining and often instructive episode to it. I have often felt this inclination to wander out of the direct road in turning up Johnson's or Ainsworth's Dictionary to look for a particular word or phrase, which has led me astray for half an hour thro' quotations and references. But when the field thro' which one wanders is productive or beautiful it is not labour lost. . . . I am afraid the want of rain has been as unfavourable to my young friend W. Blair's fishing as to the hay-crop. Were I with him I would still undertake to give him lessons in angling. Always, my dear Sir, most truly yours,

H. MACKENZIE.

295. Tax Office, Edinburgh, 6th June 1818:—My dear Sir, I have had several remembrancers of you of late and particularly the bearer of this, our friend, John Swinton, who is in town for a few days with Mrs. S. and who returns to Berwickshire in the beginning of next week. From him as well as others I was happy to receive such favourable accounts of your health and your power of taking your usual exercise. It seems you tired Mr. John Wauchope at a walk; but it must not be forgotten that in walking both you and I would have an advantage over him exactly from the opposite principle to that of jockeyship. We are more aged but we carry less weight. Tho' a little lame now and then I can still walk tolerably well; but of late I have had little leisure for such exercise as is now necessary for me as a medicine, our Exchequer term having only ended (and indeed with so short a vacation as hardly to deserve that name) a few days ago, from my attendance on which or from some other cause, or perhaps without any particular cause at all, I have suffered a good deal of late from several very violent bilious attacks, which I think you are happily free from; but like the man in the Mirror with the rheumatic gout, you know probably to be a very bad thing, and which peculiarly unfits for business. 'Tis reacted upon by the attempts at business for which it is unfit. An old friend of ours has made a wonderful recovery from what seemed a very serious complaint, I mean Lord Bannatyne, who is now I think better and stouter than for several years past. He enquires often about you, and wished much he could have been at Paxton in returning from his English tour last autumn. I wish he and I could meet with you once more and have a Mirror dinner, with reminiscences, no doubt somewhat melancholy, yet not unpleasing.

What a number of writing men there are now in Edinburgh in comparison with those which existed during the period of the Mirror and Lounger. They all write with ease too, and not without power, tho' sometimes a little too elaborate and ornate for one like me who have a touch of the old school. Do you ever read any of their productions? Books are now so dear that I can afford to buy but very few. The booksellers, indeed, on whose books, or those of their predecessors, I used to be of old both on the debit and credit side, are kind enough to offer me the perusal of many new productions; but that is a favor which I am shy of accepting, because if a book is popular as well as good (and except it is good I would grudge my time and eyes to read it) I might deprive some more profitable customer of a copy, so rapid now-a-days is the sale of some favourite productions. I had, by favour of Lord Glenlee, within these few days, the perusal of a very singular foreign book, *Memoirs of M. Necker*, and some posthumous productions of his, prepared for publication by his celebrated daughter, Madame de Stael, and published since her death by her friend, B. de Constant. At the end of the volume is a little tale, a novel, somewhat in the stile of *Marmontel*, intituled "*Suites funestes d'une seule faute*," which I think a very singular production for a man in Necker's situation, and appears to me very affecting, and except in the tragic denouement,

very natural. That denouement hurts the otherwise moral tendency of the story being a sort of encouragement to, or at least an apology for suicide, which perhaps, tho' Necker knew the English pretty well, he had not got over the foreign prejudice of thinking a common English vice. But I am gossiping away, I am afraid, to your annoyance, and it is lucky therefore that my time and paper remind me of its being proper to bring this letter to a close. Your revenge of returning me one as long will be a very great pleasure to me if you find leisure or inclination for it. Present my kind compliments to Miss Stevens, and believe me always, with the most sincere regard, My dear Sir, Yours most faithfully,

H. MACKENZIE.

George Home, Esqr., of Paxton.

296. Letter from Ninian Home to his uncle in reference to the burning of the Toll-bars:—

Paxton House, 13th July 1792.

Dear Sir, I have been expecting you every day for a good while past and therefore have not written to you, but a letter I received yesterday from Campbell says you are not to leave town for a week; so this letter may reach you. In truth, you have been as well out of the way. We have had more disturbance and riot in the county about establishing the toll-gates than I could have believed was possible to have happened, and I fear they are far from being at an end. Seven gates that were erected have been pulled down and burned or thrown into the Tweed; the toll-house at Paxton Gate burned and great part of the wall thrown down; a temporary house put up at Idington Muir is also burned. There has been no open violence since the 5th, but you see insolence and ill-humour in the faces of almost every person you meet on the road; and they threaten, if the toll-gates are put up again, that they will burn and destroy the houses and property of every gentleman in this part of the county who has been concerned in putting up the gates; and if we are not protected by a sufficient military force, I dare say it will be the case. Three troops of dragoons have been in Dunse since last Saturday which has kept everything quiet, but they speak of removing some of the dragoons. I was in Dunse yesterday and we wrote to Lord Adam Gordon pointing out our situation and telling him that unless we had a sufficient force not only to enable us to erect the gates, but *that* force to be continued with us until the country was quiet, we could not attempt to do anything. His answer will arrive to-morrow or Sunday and the Trustees will meet again on Monday. The whole of the farmers to a man almost are at the bottom of the business or they could easily restrain their servants; but they do not act themselves, and it will be difficult, I am afraid, to fix it on any of them. The whole town of Chirnside, man, woman and child, I believe were concerned in the riots. The sheriff went from Dunse last Sunday night with a party of dragoons, but they had scouts out everywhere to give them intelligence, and not one was taken. Three of them, however, were taken the night before last, with one or two others,

They will be examined on Saturday (to-morrow) when the sheriff, who was obliged to attend the trial (as a witness) of Taylor, one of the rioters in Edinburgh, is expected to be at Dunse again. Two of the Dunse rioters are carried to Edinburgh by a Justiciary warrant. We shall not have peace or quietness until some examples are made; and I think you had as well pass a few weeks at Buxton or Harrowgate until things are settled. The Colonel is at Caldra. I passed a day with him last week. I thought him not quite well, but he would not confess that he was so. . . . I understand Buxton has quite restored Sir Adam Ferguson and that he is now as well as ever he was in his life. . . . Mrs. Home, Miss Mary and Miss Grahame were here alone the night the gates were burned. I was at Caldra. You may believe they were very much frightened, and they are not a little so yet.—I ever am, Dear Uncle, affectionately yours,
NINIAN HOME.

297. Letter from Sir Walter Scott presenting a copy of his *Lay of the Last Minstrel* to George Home, Esq., of Paxton. It is the third edition issued in 1806, which fixes the date of the letter. On the flyleaf is inscribed "George Home, Esq., of Paxton, from his obliged friend, the author." The letter is as follows:—My dear Sir, Will you pardon the vanity of an author in hoping a copy of a new edition of his work may not be unacceptable to you as a man of letters and an ancient borderer. It contains some lines on p. 138 relative to the Homes of Wedderburne and the Swintons (my own maternal ancestors), with a few others which were added since the quarto edition. I am ever with great regard, Dear Sir, Your obliged and faithful servant—W. SCOTT.

Castle Street, Friday.

LETTERS from SIR HENRY RAEBURN, R.A., to GEORGE HOME,
of PAXTON, 1814-1818.

298. Edinburgh, 12th February 1814:—Dear Sir, Your copy of Lord President Blair's portrait was sent to me a few days ago. Have the goodness to inform me if it is to be sent out to you, and whether it is to be framed, and I shall give orders about it immediately. I am, with sincere respect, Dear Sir, Your most obedient and faithful servant, HENRY RAEBURN.

299. Edinburgh, 28th November, 1817:—Dear Sir, I am this moment favoured with yours, and am ashamed to say that your portrait of Sir David Milne still wants a good deal of being finished. It is my intention, if possible, to have it at the London Exhibition, and every exertion shall be made to get it accomplished; and the only apology I have to make for its not having been finished before now, and the true one, is just this that I have really been oppressed with business. I am, with great esteem and respect, Dear Sir, Your most faithful servant, HENRY RAEBURN.

Mr. Home's reply was to the effect that if he did not get the picture finished for this year's Exhibition, he could not wait another year.

300. Edinburgh, 17th March 1818 :—Dear Sir, I have the pleasure of telling you that the portrait of your friend, Sir David Milne, is not only finished, but shipped this morning for London for the Exhibition according to your wish, and I flatter myself it is a picture that will do me some credit. As the weather is upon the whole boisterous, I presume you will think it proper that I insure it. The picture itself is 140 guineas, and the frame and case, altho' I do not yet know precisely the amount, yet I do not think they will be much under 30 guineas, at which sum I will insure them, as I suppose you will think with me that it is not necessary to risk the loss of that money. I remain, with very great esteem, Dear Sir, Your most obedient and faithful servant, HENRY RAE BURN. This letter was addressed to "John Home, Esqr. of Paxton, etc., Berwick."

301. Edinburgh, 20th March 1818 :—Dear Sir, I have the pleasure of your letter of the 18th. I know your name perfectly and am quite ashamed of having written John, but I recollect some person came in upon me at the very time I was addressing the letter which probably was the cause of the blunder. I shall write to London and endeavour to get you notice of what would be the expense of a print, but it will be necessary that you tell me the size, and also the nature of the engraving, whether a mezzotinto or a stroke engraving, for much depends on these circumstances. (The rest of the letter deals with the insurance and sending of the picture to Paxton at the close of the Exhibition.)

302. Edinburgh, 9th July 1818 :—Dear Sir, I gave orders some time ago that Sir David Milne's portrait should be sent to you direct from London, and as the Exhibition is now closed I expect to hear every day of its being sent off; but as these voyages are sometimes made as expeditiously as the post, I think it possible that the picture may arrive at Berwick before the information can reach you through me of its being sent. . . . I will write you the moment I hear anything about it. I am, with the greatest esteem and respect, Dear Sir, your most obedient faithful servant, HENRY RAE BURN.

303. York Place, 14th July 1818 : This letter intimates that the picture has been shipped "on board the Alert, W. Turner;" and gives instructions as to the safe removal of it from the packing case.

Excerpts from a series of letters from Captain afterwards Admiral Sir David Milne, K.C.B., to George Home, of Wedderburn, 1811—1818.

304. His Majesty's Ship Impetueux, 4th September 1811 :—My dear Sir, I avail myself of the permission you gave me of writing you to give you some account of my travels since I left

Inveresk. I had a very rough but quick passage to Wingo Sound, where Sir James Saumarez was laying, and my ship joined a few days afterwards from the island of Anholt. We lay in Wingo Sound till Monday last when we received orders along with four other ships of the line and a frigate to proceed to the Downs. We got out only yesterday morning and are now off the Seaw lighthouse, on the coast of Jutland, and the packet being near us I take the opportunity to send this. Wingo Bay, the only place I had an opportunity of seeing, is a most dreary situation, but very convenient anchorage for our fleet, being very secure, and plenty of water in the small islands, or rather rocks, the hollows of which, where there is any soil, the different ships have made into gardens and have raised great plenty of vegetables for the use of the officers. The fleet is supplied in a private manner from Gottenburgh with plenty of everything. The harvest has been over some time, and a very plentiful one. The only service the fleet has performed this season has been convoying fleets of merchant ships up the Baltic, and this requires line-of-battle ships on account of the numerous gunboats the Danes have and which are very formidable in calm weather, which prevails much in the Baltic; and several of the ships have suffered a good deal from them. It is quite surprising the great trade that is still carried on. Several fleets of 200 sail have passed up and down lately, principally West India produce, but most of the ships come out in ballast and take home timber and hemp; but I am certain it must be an unprofitable concern from the great expence and time waiting for a wind and convoy. They are all with few exceptions under Danish and Swedish flags with licence, and some with licence were lately allowed to go to Russia with gunpowder, etc., to get the produce of the country in return. I saw a gentleman from St. Petersburg a few days ago. He says Russia is in a very bad state both with respect to the finances and army; and though they claimed a victory over the Turks, yet it was a great defeat, and at present 400 of Government paper is given for 100 of cash. The principal part of the army is at present on the frontiers of Poland. A piece of news you may not have heard is—the King of Prussia is gone to war with France and marched 40,000 men under Blucher against them. Bonaparte had demanded possession of the port on the Baltic which was refused. That is the only news I have of any consequence. Frequent secret intercourse is carrying on by our Government. The *Impetueux* is a very fine ship but in want of repair; but she may run some time. I find everything very comfortable and in good order. . . . I remain, with much regard, yours most sincerely, DAVID MILNE.

305. H.M. Ship *Impetueux*, off Flushing, 30th September 1811:—My dear Sir,—I had the pleasure of receiving your letter of the 20th on the 27th. . . . We are here in a most dreary situation, watching the Scheldt fleet. We are laying at anchor out of sight of land, 9 leagues N.W. of West Capel on Walchern, a situation, in my opinion, extremely dangerous, and not answering any good purpose. We cannot remain much longer. A

British fleet will do almost anything, but they cannot do what is impossible. No anchor can hold the ship any time. Last Wednesday night it blew very hard from the S.W. Five ships of fifteen parted their cables, and if their other anchors had not brought them up, which I did not expect, nothing could have prevented them being wrecked, the sands laying half-way between us and the shore. It would be the best plan to allow them to come out, and even if they escape into Brest they can be watched without danger. I never passed such a night. A few small vessels stationed off here would soon give notice of their sailing to our fleet in the Downs; and I do think that during the winter months we ought to have a squadron in Aberlady Bay in the Firth in case of their attempting to go north about or to Ireland. Here it is impossible we can lay much longer. My barometer, I regret much, got broke on Wednesday night. All the passage from the Baltic it was at $30\frac{2}{10}$; on Wednesday night $28\frac{8}{10}$. We have cutters with our letters two or three times a week, which is agreeable. They come from Deal; and we cannot now go to Yarmouth, as there is not water for large ships; and this also ought to make the Firth of Forth more attended to. I understand by the inland navigation from Ostend, Dunkirk, Bulogne, etc., they can embark at Flushing, if they wish it, any number of men in 48 hours. With an easterly wind, when our ships cannot leave the Downs, they may be joined by the Texel ships, and it is only about 60 hours' sail to the Firth. Wingo Bay is in Sweden, the entrance to Gottenburgh, a few leagues below that place, and never of any consequence until our fleet anchored there. It is very convenient to collect the convoys and to wait for a fair wind; but if the Northern powers continue against us I do not think we will be able to anchor there another season, as they will be enabled to annoy us very much by gunboats. . . . Yours very sincerely, DAVID MILNE.

In the Downs I saw some of the iron cables. The guard-ship there is moored with them. I think they will answer perfectly and be an immense saving, but great care must be taken that the iron is good. The enemy's fleet in the Scheldt is 16 sail of the line and 5 in the Texel. We have here 15, and 5 off the Texel. Before we left Wingo the inhabitants said we were to have a severe winter. I have seen these two days large flocks of felfairs going towards the West. Is not this rather early?—and swallows going to the S.E. I wrote Mrs. Milne on the 28th.

306. H.M. Ship *Impetueux*, Spithead, 27th October 1811:—My dear Sir, . . . We have been at Spithead about ten days, and are refitting here, so we shall not be paid off, which I was a little afraid of . . . The Flushing fleet have returned to the Downs, and the French fleet, which had gone up to Antwerp, have returned to Flushing; but our fleet will remain in England, as they now find it too dangerous to remain at anchor to blockade them during the winter as was intended. The brush with the Bulogne flotilla has done much good. It shows they stand no chance when our ships can close with them. They are

fine vessels and carry heavy guns, but are only calculated for shoal water, and are very low. When our frigates get once near them our musketry immediately clear their decks; and they do not sail well, from being built so flat. About 20 sail have got out ten days since, and have proceeded to the North, I supposed for Flushing. It is there, by every account, he intends collecting a very large force, and it is from thence and the neighbouring forts I have always considered this country, particularly Scotland, as open to invasion, and I have no doubt whenever he has time, he will attempt it. It has always occurred to me that Government has never sufficiently taken into their consideration the defence of Scotland from invasion, particularly to the north of the Tay. Should the enemy ever be able to throw a body of men on shore at or near Lunan Bay and get possession of Perth, they would not only have a strong position, but all the supply of the North of Scotland in their rear, and the communication by the western roads open to Ireland, while they would have two firths between them and the capital, where any force could be sent against them. I could not help stating this to Commissioner Bower last year or this Spring when he was down respecting a depot for French prisoners at Perth. He, however, did not seem to have any ideas on this subject, and I have unwarily entered into it with you to whom it may not be at all entertaining. I regret to find by Captain Barry, just arrived from Constantinople in the *Pomone*, that the English influence is quite gone there and the French completely predominates, so that we have nothing good to look for from thence to the general cause, and Russia, if she was willing, is now unable: the Turks seem determined to find her sufficient work . . . We shall be here at least three weeks, but I have no idea where we shall go. I observe various documents by degrees getting into the papers respecting the Americans and the Spanish province of Louisiana. They have only another step to Mexico. I beg my best respect to Mrs. Home; and believe me, my dear Sir, with much regard, yours very sincerely,
DAVID MILNE.

307. H.M. Ship *Impetueux*, Spithead, 11th November 1811:—
My dear Sir, We are still refitting here, as the badness of the weather has retarded us very much. Our destination I begin to think will be Lisbon, as the Admiralty have sent down to hasten us, and all the troop ships and the transports at this place are ordered out there. They are going out empty and each to take a flat-bottomed boat. Whether this is for any new expedition from thence I have not heard, but I am afraid it is to prepare for the worst; for it strikes me we cannot hold our ground there a great deal longer. For some time past I have been quite taken up with court-martials. What makes me mention this is—a man that was tried for striking his captain. You have, I believe, heard me mention I never punished a man the moment he committed the crime or after dinner. In the evening when mustered at the guns this man was found fault with for the screw of the gun not being quite clean, and was instantly ordered on the quarter deck to be flogged. He asked

what he was to be punished for, and no answer was given but he was ordered to strip. This he refused to do, and his cloaths were immediately cut off his back with knives. When about to be tied up he made a run at the captain and struck him. This man is condemned to be hanged. His defence was he was seized with a momentary frenzy, and running to jump overboard he pushed his captain to get past him. This his witnesses in part proved. Had Captain Collier put this man in confinement till next morning, the above would not have happened. Indeed, I think there should be an order to that purpose. We have had dreadful blowing weather and much rain, almost constantly since I arrived here. . . . I have not been much on shore and have amused myself with signals which are now brought to very great perfection. The only thing we want is a night telegraph. It has, I believe, been tried with different coloured glasses, but found not to answer, not being able to distinguish the colours. I have been scheming this way, and it is very probable, like many other schemes, it will never go further than on paper. . . .

DAVID MILNE.

308. H.M. Ship *Impetueux*, Spithead, 24th November, 1811:—
My dear Sir, . . . I am now ordered under the command of the Admiral here and I understand will be employed at least for some time, in the blockade of Cherbourg. The enemy have two line-of-battle ships there, two frigates and some small craft. We keep the same force off the port. I shall probably sail the end of this week. It is a very teasing and anxious service as the enemy can so easily slip out. However, at present, I am not the senior officer, as Captain Malcolm will be with us. This ship cannot go abroad at present being in want of considerable repair. She is however, a very fine ship, and being rated a 78, has an additional number of men. Government, I understand, is sending out commissioners to Vera Cruz, and a captain of the Navy goes out I believe to be attached to them. Should the affairs in the Peninsula be unfavourable, it will become highly necessary for us to pay attention to that quarter, and particularly to Cuba and Jamaica. The latter island is at present in a very bad way and, I believe, if they had an opportunity would not hesitate in throwing off their allegiance to the mother country. They are too near St. Domingo to be long quiet. A vessel has this moment arrived from thence. She brings the account of the death of Admiral Rowley, our Commander-in-Chief there. The very bad weather we have constantly had has retarded my refitting. We will now be ready on Wednesday. For seven days past we have had very fine weather, frosty with N.E. winds, which has sent all the outward bound away, some hundred sail for all parts. Some of them have been detained two months. This day we are to be honoured with a visit of the Duke of Clarence, who is coming to Portsmouth for some days, and all the ships and garrison prepared to salute him at no small expense of powder; each ship, great and small, to fire 21 guns. I often, my dear Sir, when I am in the Dockyard wish you was here to see it and the improvement in machinery.

I mentioned that for making blocks. The same steam engine pumps the water out of the docks and answers many other purposes. All the copper for the ships' bottoms, copper bolts, etc., are now manufactured here. The old copper is taken off one day, it is remelted, rolled into sheets, and put on the next; all this done by steam and with very little manual labour. But I am sorry to say that the man who invented and put up all this machinery, was allowed to go away, as I am informed, because Government would not give him an adequate salary. He is a Frenchman, and the chance is he may now go to the Continent, where such a man must be invaluable, when Bonaparte is endeavouring to increase his marine to such an extent. I see by the papers Tweed has been much swelled. . . . Yours most faithfully, DAVID MILNE.

309. H.M. Ship *Impetueux*, Spithead, 1st December 1811.—My dear Sir, . . . I yesterday received orders to proceed of Cherbourg, and we are just now getting under way. I am to relieve another ship, the *Vengeur*, as she is ordered to Plymouth. You will be happy, I am sure, to find the man I mentioned to you was not hanged. Captain Collier wrote as strong as he could to the Admiralty, and the Prince Regent pardoned him on his being sent to Botany Bay for life. We have had a great deal of reviewing and sailing about with the Duke of Clarence, who is still here and remains till next Thursday, and then goes to Lord Keith's in this neighbourhood for ten days. I understand he expects to have the command in the Mediterranean, and Lord Keith the Admiralty. But I rather think the Duke is passing his time here until Mrs. Jordan leaves Bushy Park, as it is said she is leaving him on account of his having asked Miss Tilney Long in marriage.

Part of our army I have always thought ought to be embarked in men-of-war and troopships, that is men-of-war fitted as such. They might certainly be employed to great advantage in the Peninsula in landing in the rear of the enemy and cutting off his supplies; and I hope that Government are now thinking of doing this by having sent out the troopships empty. The *Agincourt* is just now in sight coming in. She is from Lisbon and has the official dispatches of General Hill's affair. I shall write you when I get of Cherbourg, and as Sir Harrie Popham can give me franks will then send you the *Telligraph*.

The Prince Regent has been in a very dangerous state, his leg and thigh perfectly black, and the physicians had ordered him so much opium, he had no passage for some days. I was told stocks fell 2 per cent. on this account. Should anything happen him in the present state of the King, what a dreadful thing it would be for the country. . . . This ship has now got a good refitt, which she much wanted, but I have a good deal yet to do with the crew, who are not at all what I would wish them to be, or what they ought to be. Indeed I think the discipline of the service has not improved since I last commanded a ship; and so much has been said in the Houses of Parliament and so much

written about corporal punishment, it has done a great deal of mischief in the flesh; and this is, I suppose, what the authors wished. We have hitherto gone on pretty well, and I wish they would let us alone. . . . DAVID MILNE.

310. His Majesty's Ship *Impetueux*, Spithead, 3rd December 1811.—My dear Sir, I wrote you on Sunday just as we were getting under way, but we got no further than this anchorage, as it came on very bad weather and a direct contrary wind. I left this morning, but had not got out a few leagues when I met Sir Harrie Popham coming in, and as I was to be under his orders I returned with him. We shall probably remain here while it blows strong from the westward. Having got a frank from Captain Percy I send you the plan of a night *Teligraph*. . . . What dreadful blowing weather since Sunday. It is now quite a hurricane, and we are fortunate to be at an anchor. We had a smart shock of an earthquake here on Friday night last about the middle of the night. I was sleeping on shore and was waked by it. It shook the house and bed much, attended with a rumbling noise like a carriage driving along the pavement, and made all the joists crack. It continued only a few seconds. I have not observed by the papers whether it was felt anywhere else. The Cherburg ships are still safe in harbour. The *Hotspur* frigate, Captain Percy, arrived here yesterday. He drove a convoy into Caen at the mouth of the Seine loaded with ship timber for Cherburg. Several of them were destroyed and one taken, but she afterwards sunk. Bonaparte seems determined to have a navy. He is now sending his flotilla from Bulogne round to Flushing whenever he finds an opportunity. I had a letter from Mrs. Milne yesterday inclosing one from Sir George Clark wanting my vote for next general election. I understand Sir John Dalrymple is running him very hard. If it comes very near I suppose they will be writing me to get leave to come down, but I would much rather they would apply for the ship to be sent, as we might be as well in the Firth of Forth for a little time as here or in the Downs. . . . DAVID MILNE.

311. H.M. Ship *Impetueux*, St. Helens, 19th December 1811.—My dear Sir, I had the pleasure of receiving yours of the 5th instant on the 9th. That night we sailed and returned here on Monday evening. We have had most dreadful weather, and all Sunday night a perfect hurricane with a great deal of lightning. We split several of our sails and sprung the foreyard, which obliged us to return to port. The squadron generally comes in with westerly winds, but I staid out on purpose to get both the ship and crew a little to rights. They have been too much in harbour. We were off Cherburg, close in. They have two sail of the line, several frigates, a number of gun brigs and gunboats, one ship of the line building, nearly ready to launch. They are doing a great deal to make it a commodious harbour, and making it very strong, building immense batteries. Formerly cones were sunk to break the force of the sea. This did not answer. They are now making a dyke quite across the bay, having an entrance at each end. It is done by throwing loose stones till they are

above the surface. On this they build the batteries and it appears to answer perfectly well. The ships are quite ready and sometime come out to manœuvre when our squadron are at a distance. Lately they had near been brought to action. By a sudden shift of wind our ships were brought to lay between them and the land, and they just got in at the east entrance as our ships got abreast of the west. This has rather given them a fright and they will be more careful in future; although they were much superior, having their frigates, brigs and gunboats all ready to come out, which our squadron were more afraid of than the ships of the line. I never have experienced such constant gales, and in these narrow seas and no moon I was hardly in bed in the night; the current in bad weather runs so strong and always set on the French coast, which requires the utmost attention, particularly in so large a ship. On Sunday morning I picked up a small boat close in with Cape Barfleur, with five Frenchmen on board. They had escaped from our prisons and taken the boat away from Portsmouth the evening before. The man belonging to the boat was with them. He says they hired his boat to go to Spithead and made a prisoner of him. The account they give of themselves is not very consistent, and I have them still on board for examination.

The Duke of Clarence at last left us. It is said the Prince Regent sent for him, being much displeased at the manner he was conducting himself, which was certainly not correct. Nobody under the King ought to have proceeded in the way he did by levees, saluting, reviews, etc. He seems determined to get married. He asked Miss Mercer, but Lord Keith would not hear of it. . . . DAVID MILNE.

312. His Majesty's Ship Impetueux, St. Helens, 5th February 1812:—My dear Sir, When I wrote you on the 24th ult. I then expected from my representation to the Admiralty that the ship would be ordered into dock; instead of that I am ordered to proceed to the latitude of Lisbon with the East India ships and then to go to Lisbon. My report to the Admiralty has had the good effect of making them think the ship is in good condition, for before, they, I believe, only thought her fit to lay at anchor. . . . We go the first fair wind. . . . You would see by the papers that there are now certain accounts of the death of Mungo Park. Captain Scobell, who is now here, has just returned from Africa and brought the accounts. Park was proceeding down the Niger with only one attendant in a canoe, and, as is customary, on passing the territory of one of the petty princes, he sent him a present; but the person he intrusted it to deliver run away with it, and the prince hearing of the canoe proceeding without his receiving the expected present sent after it; and Park, finding what had happened, leapt overboard and swam on shore to explain matters, but was murdered with his companion, by those, it was supposed, who had kept the present. Captain Scobell captured several vessels under neutral flags but no doubt English property with slaves on board, and agreeable to orders carried them to Sierri Leoni, from whence they are to be sent back to

their own country ; but this they have no wish for and say they will only be killed. All the petty states are at war and few prisoners are taken. I have been on the coast of Africa, and could never think otherwise than that the slaves in a well-managed estate in the West Indies were much happier than I saw them in Africa. The traffic is certainly very unhuman ; but I should not be surprised if soon the Africans were to sell themselves voluntarily. I do not know whether Parliament would hinder this.

The Baltic ships are now nearly ready and it is expected will go very early this season. If Russia and Prussia do not now come forward, I am afraid they will lose the only opportunity they may ever have of saving themselves and Europe. The troops for Portugal are still here from contrary winds. The French frigates that are out, I think it will be impossible they can escape, as ships are sent out in every direction after them. I hope we shall fall in with them. Captain Maitland, of the Pique, has charge of the convoy, and I am only to keep sight of them. We are all looking for a promotion, and anxious to know who is to be the first lord. The Duke of Clarence and Lord Keith are mentioned, also Mr. Welsley Pole. I am very well satisfied with the present one, and wish he may remain in. Mr. Pole is an old shipmate of mine in the West Indies in 1782. He was then lieutenant, and left the service because he thought he did not get promoted quick enough. He is at present Secretary in Ireland. DAVID MILNE.

313. H.M. Ship Impetueux, Lisbon, 30th March 1812 :—My dear Sir, My last to you was dated the 16th February, and the last I have of yours is of the 4th February. After waiting so long for a fair wind, we at last sailed suddenly on the 1st March. I kept company with the India fleet to near the Western Islands and arrived here the 21st after much bad weather. We lost one man by lightning on entering this river. It entered the mast-head when he was on the lookout, killed him instantly, and came out of the mast by an iron hoop at the quarter deck without doing more injury. This is a noble river for every thing that may be wanted by a commercial nation and in any other hands than the Portuguese would have been the best naval depot in Europe ; but they are a most miserable set. There is only one dock and it is so badly situate as to be intirely useless from the eddy of the river completely choking it up with mud. There are two line-of-battle ships in the river and one on the stocks and several frigates, all very fine ships, and which I hope, if we are ever obliged to leave this place, we will either take with us or destroy. The soil all round, as far as I have seen, is very barren, almost sand mixed with calcarious earth, yet in every direction the vines are planted where it could hardly be supposed they could get the least nourishment, and they are now planting them in every spot they can on account of them being so much destroyed in the interior by the armies; and wine has got up so very high it will help to make them industrious. I have been a good distance along the banks of the river, but have not yet

visited the lines, but I intend doing it in a few days as the weather is now getting fine. There is one thing that immediately struck me, that is, the plan of embarking the troops in case of being obliged to retreat to the shipping. The left end of the line, at least that part that communicates with the Tagus comes in a few miles below Lisbon. It is there, I understand, it is the intention to embark the army. The first division might perhaps get on board, but what would become of the others, particularly as the different heights would command the embarkation? In my opinion, should any reverse happen our army, which I trust and think will not be the case, the whole army ought to be transported in boats to the opposite side of the Tagus, where the ground is very strong and the river only about a mile broad, and the enemy could not have any possible means of following, as we would take the whole vessels with us, besides having completely the command of the river, and embark the men and stores at leisure. This appears to me so evident that I was quite surprised when I found it was the intention to embark the army from the Lisbon side. All classes seem to have the most perfect confidence in Lord Wellington, and I sincerely hope no political motives will remove him from the intire command of our army. The siege of Badajos goes on as well as possible. The enemy made a sortie at the beginning with 2,000 men in a very bad night, and I rather suspect in some measure surprized us. They had a strong body of horse, but they were soon drove back with great loss. On the 25th we stormed and took the principal outwork of that part of the town attacked. It was at the third attempt our troops did it, as it was strongly defended in the rear by pallisades. They killed in it 250 and took 70 prisoners, who were marched to Elvas next day. This outwork commanded an inundation and sluice which was the principal defence of the point attacked. Our batteries will now be close to the walls, and in ten days from the 25th the place was expected to surrender. Our army had marched seven days before Marmont had the least idea of it, and he cannot now arrive in time to save it; and the other corps of our army are in strong position in front, neither can he attack Ciudad as he lost his battering cannon and and has only a few at Valadolid, which he will not be able to bring up in time. The only risk there appears to be [is] that while our army is at Badajos he may make a dash at the north of Portugal, and try to get between our army and Lisbon; but I rather think he will push for Badajos. But the weather has been so wet he cannot bring up his guns in time to save the place. This is the latest news last night from the army, and should the packet not sail to-day and any other arrives, I shall inform you, as I generally hear from the Admiral as soon as any arrives I remain, with much regard, Yours most sincerely, DAVID MILNE.

314. H.M. Ship Impetueux, Lisbon, 9th April 1812.—My dear Sir, I wrote you on the 30th ult. by the packet, and as the Fantome brig is ordered home with dispatches I take the opportunity of informing you of the fall of Badajos. It was taken by

storm on the night of the 6th. The action continued from one o'clock to seven in the morning. Of course the loss on both sides must be considerable ; but as the dispatches goes home in the Fantome I will not trouble you with the different accounts we have here, which may not be correct. The teligraph announced last night to the Admiral (the latest accounts yet received) that the governor and 3,000 men including officers had marched into Elvas on their way to this place. Philipson (I am not sure if I spell his name right) broke his parole in England, and being found in arms against us I think will puzzle our Government how to act with regard to him. Generals Graham and Hill are now falling back on Badajos. Of Marmont we have here heard nothing ; but the enemy have now but a small force at Seville, and they must now raise the siege of Cadiz. It is the general report of the Portugese merchants that the French are retiring from the Peninsula, and from every account we receive I should think it the case. It is pretty certain they have not received any reinforcement and it is even said that part of the Imperial Guards have gone to France. The North of Europe will now, I should think, become the theatre of war. Everything here is as perfectly quiet and secure as in London, indeed I believe more so ; and provisions plenty, but principally from America, very little indeed from England ; and if it was not for the supplies from America, the army here could not be maintained. A good deal of grain comes from Barbary, but it is very precarious and not to be depended on. I expect about ten days hence to be sent out to cruise, which I shall like much better than remaining here doing nothing ; and as the Admiral's commands extends to the Western Islands and Madeira, will probably visit both of these places. The new island that was last year thrown up at the Western Islands has again disappeared. The Admiral had ordered a flagstaff and English colours to be hoisted on it, and all is gone down together. It was called Sabrina Island from the ship who saw it rise out of the water. I have not been any distance from Lisbon, but have visited all ground on the south side. It is very strong, composed of small conical hills. They are now nearly all fortified with excellent field works, and capable of being defended a long time. They were only begun last year, when it was supposed the French might have come down the south side of the Tagus, and these heights completely command Lisbon and the shipping, as it is only about a mile across. The weather has now become very warm in the day, and I cannot think it a good climate for delicate people. The thermometer is now in the shade on board at 80° in the day and 50° in the night, and the air very damp. On shore the variation must be more. The vines are now getting quite green, and the barley in the ear, and the vegetables the finest I ever saw, particularly the lettuce I remain, my dear Sir, with much regard, yours very truly, DAVID MILNE. A brig arrived here a few days since from Sicily. Everything is now perfectly quiet, but there was no doubt of the Queen being in the conspiracy, which was to give up the island to the French and put to death the principal English officers.

315. Inveresk, 15th October 1812.—My dear Sir, I have from day to day delayed writing to you until I knew something of what my motions were to be, and which are just as uncertain as when I left Berwickshire. The Venerable is daily expected at Portsmouth and until she arrives I must just wait here. . . . Mrs. Milne, I am sorry to say, has been very unwell for some time past. . . . I now think seriously of taking her to England for the winter months. . . . January to April I think the worst months here and I think the English climate will do her much good during that time. Public events crowd so fast upon us, we can hardly risk an opinion. I am afraid the Emperor Alexander will be induced to make a peace as I understand the French influence is very strong at St. Petersburg, and I always thought we ought to have had a more active man there than Lord Cathcart. Our army in Spain have done wonders, but if the Spaniards do not become hearty in the cause, it is impossible we can stand the expense of men and money, and the difficulty of getting provisions, for it appears the Americans are determined to keep at war with us. What an unfortunate business the capture of the *Guerrion* frigate! It is a thing I could not have expected. Captain Dacres, in my opinion, appears to have acted with indecision from the beginning, first in having backed his main topsail, thereby not having the ship under command of the helm; next in veering ship, which at least gave an appearance of avoiding the action, and by the rolling of the ship the chance of losing his masts when the rigging was cut, which actually happened. However, there is no doubt the American was superior in men and weight of mettle, and I have always thought our large frigates have not a sufficient number of men. They can only put 9 men to each 18 pounder, which is too few. . . . The boys are quite well and coming on very well at school, particularly David, who is generally at the head of the class. . . . DAVID MILNE.

316. Inveresk, 10th November 1812:—My dear Sir, By to-day's papers I see Lord Wellington is obliged to leave Burgos. A battle must of course take place or he must again retire on Portugal. What has General Maitland to answer for from rendering the army intrusted to him useless? Our next news from Russia must be very important, for it is impossible Bonaparte can remain at Moscow during the winter. I never could alter my opinion respecting American politics; however much they may wish to get possession of Canada it is my opinion the Spanish provinces is their first object; and I still think we ought to have a considerable naval force with some troops in the Bay of Mexico, even if you were to embark them from the Islands, if you could not spare them anywhere else. . . . DAVID MILNE.

317. Portsmouth, 21st January, 1813.—My dear Sir, I delayed writing you until I was in some measure settled and knew what I was to do, for Sir Harrie has been trying so much to keep the Venerable that I could hardly consider myself secure of her until I had read my commission, which I did on Tuesday;

and even that morning he asked me to delay it for a day or two. He went to London that evening. Lord Melville having left it to myself either to take the Venerable or Stirling Castle, I preferred the ship I was appointed to; at the same time mentioned to his Lordship that if he was under any obligation to alter his arrangements I was perfectly ready to meet his wishes. But as he did not ask me to give up the Venerable I did not think there was any occasion for me to volunteer it. She is refitting, and I think it will be a fortnight before we are ready for sea. There is no particular news; troops occasionally embarking for Portugal. The West India convoy sails to-morrow morning. We have been this day trying a seaman for attempting to desert. His defence was that he is an American, and he produced a letter from his father dated in 1801 and a certificate from Commodore Rodgers of having served with him in 1803. However on looking on the paper they were wrote upon, we found the former paper to have been made in 1809 and the latter in 1807. So much for Americans in our service. They are, however, like to give us some trouble. 12 men of the Guerrión have been kept in America to answer for 6 of our countrymen who were found fighting against us, and who are sent to England to be tried, and I should suppose they will be hanged; and the Americans say if we hang them they will hang the 12 Guerrión men.

I am happy to find the iron cables are again to be tried. The inventor of them was with me in London and wishes much that I would try them in the Venerable and report upon them. I am not quite sure if I shall do so as considerable alterations must be made in the ship, and a great deal depends on the working the iron properly. I dined with Mr. Rennie, the engineer, and asked his opinion of them. He says they will not stand well except hammered by machinery and afterwards annealed, which the inventor has not done. If they should answer it would be of very great consequence to the Navy, as they take up so little room, and a very great saving in expence. . . . DAVID MILNE.

318. In a letter from Mrs. Milne, dated Inveresk, 20th February, 1813, she says, "Captain Milne is to have the command of the Cherbourg squadron, and a very anxious one it will be," and that he wishes her to go south, but she hesitates to leave his father in his advanced years, and to interrupt the education of her boys, though her doctors agree it may prolong her life. She adds, "My brother Patrick seems a very sensible, good-natured young man, and very keen in his profession, which is a good sign. His perfect knowledge of the Portuguese and Spanish language he found of infinite use to him. I believe there are Homes to be found in all parts of the world; and so much the better for those who have any connexion with the name. Patrick found it so at Madrid, where a very kind man, a buttonmaker from Tranent, of the name of Home, discovered Patrick as a Purves, and beg'd to know if he was of the Home Clan, which, you may believe, Patrick assented to, and in consequence got many a good dinner. . . . Believe me ever, with sincere regard, your affectionate cousin, G. MILNE."

319. H.M. Ship Venerable, off Cherburg, 21st April 1813.—My dear Sir, Your favor of the 22nd ult. has lain long unanswered, but I have had but little opportunity; and although I have been twice at St. Helens, my time has been so short that I could not write. Add to this, Mrs. Milne has again been so ill, I have been much distressed and alarmed on her account. I anchored at St. Helens last Friday, the 16th (our marriage day) and found her very unwell. . . . The enemy's squadron in Cherburg are at present refitting. They often get under way and keep manœuvring under the batteries, but never venture out, at least when we are in sight. They appear to manage their ships well, and to be fully manned. Troops of some description have lately come to the coast, as we observe more men in the batteries, and we saw a regiment at exercise on the beach a few days ago. I wrote some time ago to the Admiral commanding at Portsmouth, whose orders I am under, to procure me, if possible, a plan of the interior of Fort Pelee. It stands on an island to the east of and commands the harbour. I had some idea we might surprise it; but I suppose no such plan can be got, as I have not heard from him, and without, we could not attempt anything of the kind, as we suppose there is a ditch inside. They have many men at work on the fortifications round the new basin where they are building five sail of the line, and they are constructing several very strong redoubts on the rising ground behind. All this shows they have some fears of us. . . . DAVID MILNE.

320. Fareham, Hants, 14th November, 1813:—My dear Sir, I had the pleasure of receiving your letter of the 11th of October on my arrival here last Sunday morning. I came to St. Helens after dark on Saturday, and as I found all the ships that were ready were ordered to sea, I went directly to the Admiral at Portsmouth and reported the Venerable quite ready for any service. I got to the cottage at midnight and found all hands fast asleep and some difficulty of getting admittance at that hour. I am happy to say I think Mrs. Milne a good deal stouter and better than when I left England, but her cough still troubles her a good deal. The boys are grown much and quite well.

We have had a very unsuccessful cruize and much bad weather on the Banks of Newfoundland, and neither saw nor heard of an enemy's cruizer of any description the whole time we were out. Indeed, I may say, our cruize was but a short one, for we did not get to our station till the 10th September, but I took care to be at the greatest limit, the 10th October. If I had not been attached to a convoy I am sure I would have had Commodore Rodgers, as he passed the Banks of Newfoundland just before we got there. The ship has been in quarantine until Friday last, owing to the Horatio having spoke a ship from Malta and her boat being afterwards on board the Venerable. I, however, had got on shore, and as the Custom House officers could not find me out, I staid on shore. The Horatio is still in quarantine; and indeed she has been sickly the whole cruize, while we have never had any sick, or any man died since we left England, and on our arrival only 8 on the list, 3 of them old men, and the others not confined,

This I attribute to keeping constant fires between decks and washing the sides of the ship below with whitewash frequently, and never washing the lower decks, which only causes damp, but have them always scrubbed with dry hot sand every day. The ship was surveyed yesterday, and it is supposed we will be ordered into harbour as a good many of the knees are broke from the very severe weather and heavy seas we have experienced. As this is in the upper works only it will not be long and will be much sooner done there than at Spithead at this season.

I congratulate you on having found the additional paintings. When at Cadiz I certainly did covet some I saw at the Ambassador's very much and wished them at Paxton. They were certainly very fine, by a Spanish master, Murillio, I think; and I am sure some of yours are by the same person. They were all Scripture pieces. I was twice at St. Michaels Your high rents you get in Berwickshire is nothing to what is got there. What do you think of £300 an acre? To be sure it is for oranges, and from first planting it takes 12 years to come to maturity, but bear well at 5 years. As for politics, it is impossible to say what may happen this winter. I think Bonaparte's career is now nearly finished DAVID MILNE.

321. Portsmouth, 3rd December 1813:—My dear Sir, I have been placed under the command of Lord Keith who has a squadron of observation at St. Helens, also the Cherburg squadron under his orders. It is supposed he will remain there until something is done on the Continent with the Scheldt fleet, or if they come out that we may get hold of them coming down channel. The Venerable is still at Spithead repairing. . . . Mrs. Milne and the boys are here with me and I am sorry to say she has been again very unwell. . . . We have not a word of news here at present. All ships that can be spared are sent to the Downs, as also all the disposable marines. . . . When I was at St. Michael I found that Sir William Purves was quite well known there, and the Consul and several others seemed really much interested about him and spoke highly of him. He had been at all the different islands and was one of the very few that had ever reached the top of the Pic. I brought a letter from the Consul to him which I forwarded to Marchmont House. . . . I have again been employed in the yard with the Commissioners about naval matters, and I have improved the Venerable so much in sailing by stowing the ballast on my own plan that the several Captains fitting here have asked me for it and are following it. I have also been requested by the Navy Board, and have given them my observations and opinion about the compasses supplied the Navy, which are certainly very defective. . . . If you see or write Dr. Farquarson I will be obliged to you if you will give my best compliments to him and say that I gave his phial of vaccine matter to a Dr. Staunton at St. Michaels, as they had none there and were in much want of it; also several surgeons of ships where small pox had appeared had their lancets rubbed with it. So I hope it has proved useful. . . . Yours very sincerely, DAVID MILNE.

322. H. M. Ship Bulwark, Portsmouth, 2nd January, 1814:—My dear Sir, I had the pleasure of receiving your letter of the 18th the day after I wrote you last. You will be surprised, as I was myself, to hear that I am ordered for foreign service; and as it is generally the case that the Captain is the last person who knows where he is going, I have been informed by others that we are going to America with Sir Alexander Cochrane. This, I believe, is certain. This is what I could have desired myself, especially being so near my flag. . . . Should I get my flag Sir Alexander will certainly take the Bulwark, as the Asia, his flag ship, is a small and old ship. There is certainly now not the least appearance of peace, and I hope the allies will soon find themselves strong enough, even if Austria should leave them; for certainly we can have no lasting peace while Bonaparte has any power left out of old France or while his connexions govern any other parts of Europe. Under such circumstances no peace with him can be lasting. America, I should think, would now wish peace on any terms, but they ought to be made to feel our power and be made to refrain from any attack or interference with the Spanish colonies; indeed I think we ought to hold a territory between them. Sir John Warren is coming home. I believe he has not at all given satisfaction; but the Prince is his friend. Commodore Rodgers' house has been plundered; his pianoforte is in Sir John's house at Bermuda, and he was riding in his, the Commodore's, carriage at Halifax where he [*torn*] and I may not call it *ill-treated* by the populace. What do you think of a British Admiral and Commander-in-Chief? This is not the way to conquer America. . . . DAVID MILNE.

323. Portsmouth, 25th January, 1814:—My dear Sir, . . . Mrs. Milne has come to the resolution of staying at Plymouth at least for some time. I am sure the mild air of Devonshire will do her much good. . . . She had been very ill at Fareham. A few months must now determine about peace. The Allies have committed themselves in France and Bonaparte must now fight at the gates of Paris, and it is there, it is said, he means to make his stand. But I hope the Allies will not fight him on ground of his own choosing, but if they get him there, he must fight as they choose, or starve. . . . I trust that your wish will be realised with respect to peace, and that we shall all meet in Berwickshire before long. I am to sail before Admiral Cochrane with the convoy and mean to go on Thursday if the wind is fair, and as I am to call off Plymouth mean to take Mrs. Milne there and to send her in the Saturn frigate, Captain Nash, to land her, as a store ship is to join the convoy from Plymouth. . . . I have just procured a very fine ship which I have left to be forwarded for you to the care of Mr. Bruce, Naval Officer at Leith. I think it will be a good ornament either for your Library or Gallery. It was made by the French prisoners and is very neat. . . . DAVID MILN.

324. Portsmouth, 30 January 1814.—My dear Sir, . . . Sir Alexander Cochran has been here some days. He goes in the Asia and the Superb accompanies him. The Saturn, Captain

Nash, goes with me under small convoy. The *Saturn* is a cut down 74, of course a match for any American frigate. The *Tennant* is to follow us to be Sir Alexander Cochran's flagship, and Lord Cochran brings her out. From what I learn from Sir Alexander Government are not in the least disposed to favour the Americans, and they have now with them the whole mercantile interest of the country. This, of course; for as long as the Americans are shut up in their own harbours, our merchants will be the carriers of the whole world, and self interest will always guide their opinion. Something decisive must soon occur in France, and if we have peace in Europe I will not be surprised to see Lord Wellington's army transferred to America. We are certainly making great preparations to do something there. I shall sail the moment the wind comes to the eastward. We have had most severe weather and more frost and snow than ever remembered here. The wind is now westerly, and I think it likely to continue so for some time, having been so long to the eastward. A large reinforcement of troops are now embarked here for Lord Wellington, nearly 9,000, and a large proportion of them cavalry and in very fine condition. . . . Yours most faithfully, DAVID MILNE.

325. H.M. Ship *Bulwark*, Bermuda, 26th April, 1814:—My dear Sir,—We arrived here on the 7th instant after a tedious passage and a good deal of bad weather. I was two days at St. Michael where we got a good supply of everything, and lucky it was for us, for this is the most miserable place to get any supplies that I ever was at. Beef, (perfect carion) 4s. per pound, eggs 6s. a dozen, poultry 10s. a couple, and fish 10d. a pound. The island is certainly most beautiful, consisting of a number of small islands and large pieces of water very like Loch Lomond, and the cedar trees growing close down to the water. The whole islands are covered with them, and in them consists a Bermudian wealth. They build small vessels of them and sell them to those who may be in want of them. The trees are in general about 25 or 30 feet high and cut into planks of about 18 feet long and 10 or 12 inches broad. The inhabitants are a most indolent, inhospitable set of people I ever saw, and although they might raise plenty of every kind of provision, they are totally dependant on America for a supply, and since the embargo there, they have been almost starving. The cedar trees is all they look to and constant succession is produced from the shaken seed. They even neglect the fisheries and only catch as much as serves them daily. At this season there are abundance of spermeceiti whales not a quarter of a mile from the shore, and yet they only kill a very few. They are towed ashore, the oil taken from them and the flesh sold in the market as beef at 10d. a pound. So much for the Bermudians, and you will see I have formed no very favourable opinion of them. In a political point of view I think the island of much consequence to England. It is a rendezvous and depot for whatever operations may be carried on against the southern part of the United States and fortifications are now erecting which will secure it from any attempts

of the enemy. It is very difficult of access, and indeed, I think, large ships should be ordered here as seldom as possible, as they frequently touch the ground coming in, and, of course, injure the copper, and the worm soon gets into the plank. Sir Alexander Cochran is now here waiting for the *Tennant*, but what our operations are to be I am ignorant, and I think Sir Alexander hardly knows himself. He certainly expects troops out; but I think this must depend on what passes in Europe. We brought the latest accounts from England and no vessel has since arrived. I am ordered to sail in a few days to cruize in Boston Bay. The Americans are using every exertion to get a naval force. They have several two deckers of a very large size in great forwardness. One, near Boston, is said to be launched next month. She is 2,500; and here ours are the largest class, 1,900 tons. They are to carry 42-pounders on the lower deck, 32-pounders on the upper deck, and 68-pounder carronades on the quarter deck and forecastle, and to [be] manned in proportion. I cannot say what chance we shall have if we meet with them, but I must say it is a disgrace to the British nation to have such ships as we have. There is none of our new two-decked ships that can carry her lower deck guns out, if there is the least wind, and hardly one of them that does not want a thorough repair in less than two years after she is launched; and yet we have some of the French ships, very fine models and far superior to ours; and yet we will not improve from them; and I am much mistaken if the American ships will not give both nations a lesson. And as for being manned, we are not near as we ought to be either in the number or quality of the men; and as for the marines they hardly deserve the name of men. It will appear strange to you, but those sent on board ship are positively the refuse of the corps. They are first picked for the Marine Artillery, next for the Marine Battalion, then the best of what remains given to a flag-ship, and the rest distributed to the different ships, and bad enough they are. You, of course, know, the Marine Battalion and Marine Artillery are never employed in the ship; they only retain the name, and I may say the Marine Corps has been destroyed to add to the army. You may think I look upon the worst side of all this; but I cannot shut my eyes against what I see, and I cannot help feeling some anxiety as an officer where I am liable to meet with an enemy so superior in size of ship, weight of metal and number and quality of men. And this ship is really not manned as she ought to be; and yet there are few in the service better. I speak to you, my dear Sir, very freely on these subjects and should feel very happy if I was convinced they were any way exaggerated. I inclose a list of the crew as I did formerly of the *Impetueux*, and you will see what we are made up of, and although you may observe a good many seamen, yet many of them, although never of any other profession, are very far from being sailors.*

* In this accompanying table Captaine Milne analyses the composition of his crew of 640 in all, including officers. There were 439 able seamen and 121 marines whom he classifies according to their former trades and occupations, their nationalities (being not only British and American, but from almost every European country), their ages, and their heights. In addition there were 46 boys and 13 midshipmen. Among the men there were those who had been clerks, grooms, watchmakers, grocers, chemists, and almost every mentionable trade.

I cannot help sending you a short account of a phenomenon observed by Captain Hay and the officers of the *Majestic* on the 27th, 28th and 29th of last August—after that it gradually disappeared. It was the exact figure of a man most distinct holding a flag in his hand, the flag over his head, seen on these days constantly in the sun. The figure was erect in the morning, horizontal at noon and reversed at sunset. If this had only been seen by one person I should not have thought it worth taking notice of, but all the officers with their different glasses saw it distinctly on these days, and the figure so exact and well defined as nothing to be left to imagination. . . . We have no intelligence of any consequence from America. The blacks in the Southern States would certainly join any force that might be landed there to get rid of their masters, who they detest; but whether this mode of warfare will answer, I have my doubts; but I rather think if any force comes from England it will be tried. The Americans cannot certainly remain much longer in their present situation with the embargo without much discontent, and I expect shortly to hear of some great change among them 27th.—Intelligence has arrived that the Americans have taken off the embargo. Sir Alexander Cochran has issued a proclamation declaring all the Northern ports in a state of strict blockade. I take this with me to our ships off New London, etc., and to Halifax, and am to sail directly. No arrivals yet from England. Ever yours, My dear Sir, with much regard, DAVID MILNE.

326. H.M. Ship *Bulwark*, Halifax, 30th May, 1814 :—My dear Sir, . . . I arrived here four days ago from off New London, where I had taken a victualler for the squadron there. I sail to-day for my station off Boston Bay. I captured a few small craft while off New London with the boats and brought them here loaded with provisions, etc., and for which the Yankees have begun to abuse me in their papers. The late events in France, although we were in some measure prepared to expect them, yet to such an extent we had no idea. The Americans must now yield to any terms we may please to offer them, indeed I every day expect to hear of a rebellion in the country. The blockade has annoyed them very much, for they thought they would be allowed just to trade as usual on their taking off the embargo, and they were very much disappointed when I would not even allow them to trade along shore. I really think we ought even now oblige them to have a new form of government, for certainly the present one cannot remain. At all events they must be made to give up all the lakes in Canada, both Floridas and Louisiana to us. We will then be a barrier between them and Mexico. We have reports that a large body of troops are coming to this country. If so, we will soon conquer them and I am almost sure, half the population would join us. Never have a people so taken themselves in as the Americans have. No trade, their seamen are now all in a state of meeting at New York, and the money all disappearing; and Maddison cannot effect a loan. A good many names are put down, but no money, although every kind of inducement is offered. In short, never was a country so completely committed,

To the southward the Blacks are all ready to rise and will so the moment we land an army, which I hope will be soon. I am happy, my dear Sir, you keep your health. The winter has been very severe. It has also been so here, and the convoy from England, just now coming in, have been in some danger from the ice. Some of the islands are aground on the Banks of Newfoundland in 30 fathom water, and it is feared some of the ships are lost on them. . . . Yours most sincerely, DAVID MILNE.

327. Letter from Mrs. Milne. Bordeaux cours de Tourney, June 6th, 1814 :—My dear Sir, I wrote you a few hurried lines upon my leaving Plymouth. We had a delightful voyage for ten days, and I recovered every hour on board. Our party was a most agreeable one, tho poor Lady Hopetoun was disappointed in finding her husband had sailed for England. The Manelaus could not get further up the river than within 50 miles of this; but [we] came up in a little brig, by which means I again caught a severe cold and feverish complaint, and could with much difficulty walk upstairs, with the assistance of Dr. and Mrs. Neale. But this morning I have walked two miles without the least fatigue, and was up at 7 this morning. So much for Bordeaux! The town is completely beautiful and the climate very, very delightful, and I only wish you and Mary were here. Lord Dalhousie, who commands here, has been to me as the kindest of brothers. Every day he sees me, and wished me much to occupy a corner of his palace; went himself and sent all his aide-de-champs to search for a home for me; sends me books, papers and everything that can add to my comfort, and desires me to apply to him upon all occasions, which I do. He came here just now, tho' he has rode 60 miles this morning to see the troops embark for America, to say if I would let the boys go to the play he should come for them himself and bring them safe back. There is likewise an English family who live near me of the name of Johnston, who have been here for twelve years, merchants, people of immense fortune, who keep open house for all the English, have been so good to me through him; they have sent me confects, fruits, and things they think I can want. Dr. and Mrs. Neill are within a few doors, and a beautiful English woman, Col. Wallas wife, is often with me. Lady Keith comes in a day which will be a good thing for me, as she was very kind to me at Plymouth. . . . Most sincerely do I wish your words may prove true that we may all have the happiness of meeting and being with you at Paxton within the twelve month. We ought never to despair after what I have come through. . . . This goes by Sir H. Neale who has been to wait upon me, and all the Navy, even those that I never saw or heard of, have paid me every attention and offers of friendship. I feel it is a glorious thing to be an English woman, tho' an Italian painter to-day took me for a Spanish lady, which, I suppose, he thought a compliment. . . . God bless you both, and believe me, ever my dear Sir, yours most affectionately, G. MILNE.

328. H. M Ship Bulwark, Penobscot river, 6th September 1814:—My dear Sir, . . . I am now promoted but as yet have not had any official information, and am perfectly ignorant whether I am to hoist my flag on this station or return home. The account must have gone to the Chesapeake, where Sir Alexander Cochrane is, and a very short time must determine it. . . . We have been very actively employed on this coast. My station has been almost constantly off Boston. We have just now taken possession of this river and small town (Castin) without any opposition, and the boats and part of the army proceeded up the river under the command of Captain Barrie of the Dragon and have taken possession of a good many vessels. The Adams, American sloop of war, had taken shelter in the river and was burnt by her commander on the approach of the boats. I was to have commanded the expedition, but Sir John Sherbrooke, Governor of Nova Scotia, thought it of so much consequence that he embarked with it, and the Admiral of Halifax (Griffiths) was obliged also to come, so the honour is of course all theirs. With the boats of this ship we have kept the whole coast in continual alarm, and of course, we are finely abused in their newspapers. Not a boat can pass, and Boston is in the greatest distress for fuel and flour, and the new 74 gun ships boats were obliged to be carried overland in waggons to her from Salem where they were built. A little exertion in sending a good large body of troops from England at this moment will conquer America, and I do not hesitate to say I am certain they would be glad to place themselves again under the British Government. They detest their own government and they have no trust in one another, and the people of property in the town and on the coast are more afraid of their own people in the country than they are of our troops. Yet there always appears a hatred and jealousy of the English. They are a sad despicable set, and self-interest governs them in every situation; but they are now so reduced and their mutual distrust is such that I am sure at this moment they would be glad to be again under our protection; and I am sure a proposal of this kind would be gladly listened to. But they should not be allowed breathing time, but a large force poured into their country, and not on any account to be divided in small detachments in taking and keeping possession of places of no great consequence such as this is, and at so great a distance from the seat of government. So far from making them feel the pressure of the war by this expedition, we are making them much easier and in a better situation than ever, and it is the intention of the General and Admiral to grant them a trade to Nova Scotia and to fish on their own coast. And all this—all the great and good effects we have seen arise from the blockade ordered by Sir Alexander Cochrane! This surely could not be the orders from home. It cannot be. Sir Alexander Cochrane has destroyed the public works, etc. at Washington, and we hear it reported that the troops are again embarked, but I think he would first have destroyed Baltimore and then probably take Rhode Island and winter there. . . . Yours, with much regard and esteem, most faithfully, DAVID MILNE.

Copy (in French) of the reported Treaty of Tilsit, sent by Admiral Milne to Mr. Home of Wedderburn.

329. Campie House, 16th February, 1815 :—My dear Sir, I arrived here last night. I came down the west road. We left London last Thursday afternoon, but was detained half-a-day at Grantham by Alexander not being very well. I was anxious to get down. The vessel I expected from Bourdeaux arrived last Saturday, and I have arranged everything for the interment of the body of Mrs. Milne in Inveresk Churchyard on Saturday morning. It is now laying at my house. I only intend that Sir James Baird, Mr. Cochran, and Mr. Moodie, the clergyman, besides my father (if able) and myself and the boys, shall attend, as in a case of this kind I think the less publicity the better. . . . I think my father a good deal altered since I last saw him in his appearance, but not otherwise; his memory is perfectly good, and his general health seems good, but his eyesight almost gone . . . I only saw Lord Melville twice. I was not quite satisfied his not including me in the late orders of knights, etc. I stated my services to him, and told him I thought I was at least equally intitled, if not more so, than many others, but I did not ask for anything, but left him to reflect on it. I sent him a long paper on American affairs on my arrival at Plymouth, which he would receive previous to the settling the American peace. I had not time to take a copy of it, but I had more opportunities of knowing what was going on in the Northern states than any other officer. My not having sent this paper to Admiral Hope may have perhaps biased him, as certainly Lord Melville would consult him respecting the names and services of officers. I can only say that the only reason I can possibly find for Admiral Burlton being made a K.C.B. was he was once a lieutenant with Rear-Admiral William Hope. Some others have still less claims. . . . DAVID MILNE.

330. Inveresk, 23rd March, 1815 :—My dear Sir, . . . What a change in the political world since you left Edinburgh. I was informed that the expedition to New Orleans consisted of 10,000 troops besides the black regiments from the West Indies. With such a force I thought the capture of the place certain. But they never had 6,000 in all. With this small force it was impossible to carry it and defeat was certain. I wrote to Lord Melville on my arrival that landing with small bodies of men from 4 to 6,000 would not be attended with any success and only tended to unite them and show them their weak points; and if we could not land a large army, not a man should be landed, but the blockade strictly kept up, which would be complete ruin to them. I am sorry to see by to-day's papers that Bonaparte is still keeping his own, if not advancing, but I can hardly think the French nation will be so lost to themselves and to Europe as not to rise in a mass and crush him, for I think it can only be a part, a small part of the army that will join him. I understand a fleet is to be collected to go to the Mediterranean to be commanded by Lord Exmouth. If by to-morrow's papers Bonaparte

is not on the retreat I shall write to Lord Melville offering my services anywhere; for if he advances I have no doubt the Toulon fleet will require to be watched, and I trust that all the ships from America will be ordered there without first coming to England, for we have at present hardly any disposable seamen at home; we have been rather quick in discharging them. . . . DAVID MILNE.

331. Inveresk, 27th April, 1815 :—My dear Sir, . . . I have been in daily expectation of hearing from the Admiralty respecting my being appointed to the Halifax station, as I am sure Admiral Griffith would write to be superseded whenever he heard of the peace with America. I have, however, only had a letter from Lord Melville's secretary with his compliments saying he had received my letter making an offer of my services. . . . We must keep up a very large naval force. The French have collected from different ports at Brest 34 line of battle ships. At Toulon they must have about 24. I am certain that at present we cannot man half of that number, as great part of the discharged seamen have left the country in the different fleets which have sailed, and the transports take a great number, and all the best seamen. But I still trust this new war will not be of long continuance, for I do not think the French nation, except the soldiers, can be so blind to their true interests as to deluge their country in blood for the ambition of one man. Bonaparte certainly does not as yet feel himself in a situation to take the field against the Allies, and if they march directly into France, the contest may be very short; and this is the best season for cavalry, as they have plenty of grass food. . . . DAVID MILNE.

332. Inveresk, 8th May, 1815.—My dear Sir, I had the pleasure of receiving yours of the 1st inst. I must just have patience till I hear whether Admiral Griffith intends coming home from Halifax. Should Lord Melville give that station past me I shall certainly feel a good deal on the occasion; but I shall feel more on his account than my own and it would draw from me a very severe representation of his Lordship's conduct to me on several occasions for I do not feel I have ever been under the least obligation to his Lordship, rather quite the reverse. Affairs on the Continent are now I think drawing very near a crisis, and these papers produced to the House of Commons respecting Murat will, I think, have a happy effect in Europe, though a quite different one to what Mr. Whitbread and his friends expected, who, I cannot help thinking, have had a pretty close correspondence with the enemies of this country, whatever they may say to the contrary. I can hardly think it possible that France can stand against the coalition that is now formed against her, and I almost expect every post to hear of their having put an end to Bonaparte. I perfectly come into your opinion that the French will not and cannot fit out a large fleet. However, our Government seem determined to prepare for them should they attempt it. Orders have come down here to press all the seamen they possibly can and all the cruizers have sailed for that purpose. Lord Keith has the command of the

Channel fleet; Sir Richard Strachan, Sir Bryan Halliwell and Admiral Stopford are the junior admirals. A very small number of troops sent to Ireland from France might at the present moment do much mischief, when almost all our troops are withdrawn from that country; therefore a strict blockade of Brest where they have so large a fleet is absolutely necessary. . . . My father is just now very well. Yesterday he walked up and dined with me and walked home after. He has consented to go to Raeburn on Wednesday which I am happy at. The Duke of Buccleuch has just paid me a long visit. . . . DAVID MILNE.

333. Inveresk, 24th May, 1815 :—My dear Sir, . . . I am still without any notice from the Admiralty. . . . I understand there are few ships fitting out. Indeed the want of seamen is such that they cannot man many, and it is not probable there will be any naval war at present. The Americans and Algerines are, however, going to war, and nothing would give me so much pleasure as to hear of the Yankees getting a good thrashing. I almost think it would be good policy for some of the European powers to join the Algerines and destroy the American squadron; for their entering into this petty warfare is only to form a navy and keep their ships employed; and which at no very distant period may give trouble enough, particularly to Great Britain. I cannot yet think there will be a Continental war. It is impossible the French nation can be so mad. . . . DAVID MILNE.

334. Inveresk, 31st May 1815 :—My dear Sir, . . . I agree most perfectly with you that it is the interest of this Government and America to be on the most intimate footing possible; but the people of America have a hatred and jealousy towards Great Britain it is impossible to describe. But I even think we ought to sacrifice a great deal to keep up that amity and concord so much the interest of both countries; to endeavour to get the better of it. But I most sincerely wish to see their naval power nipt in the bud, for if ever they get it to any extent they will give us trouble enough, and none of our West India possessions would be safe; and the present degraded state of the Spanish Government renders it in my opinion not improbable that the Island of Cuba may put themselves under the protection of America. They have had for the last 15 years a free trade and close intercourse with America which they never had before, and it will not now be easy to stop it; and many Americans have settled there; and if they get possession of that island, they will soon become a great naval power. . . . DAVID MILNE.

335. Inveresk, 17 March 1816 :—My dear Sir, . . . I intend going to London about the beginning of April. I wish to see Lord Melville. I am not very anxious about Halifax, but as there is a talk of a change at the Admiralty I think it best to go up. I cannot help thinking and perhaps allowing myself to think too much about it, that I have not been used well in the service, and I have been for some time past writing a kind of narrative of my services from entering the Navy. After it is finished I shall

consider seriously whether it be may be proper to present it to Lord Melville privately for his perusal. I certainly believe that I am the only instance of a captain not being knighted after a single action in a frigate. I captured in 1800 the French frigate the Vengeance after a very severe action. My first lieutenant (Chatham) was made a commander for this action. Unfortunately for me the Commander-in-Chief, Lord Hugh Seymour, died; and when I returned to England in 1802, it was peace and no further notice was taken of the action. I was too delicate in speaking of myself, thinking it ought to be offered to me, which I now find was wrong. This had almost gone from my mind until the late order of knighthood revived it. All those who were knighted before, were included. My not being included has often been the talk of my brother officers. However, I never complained, whatever I felt, and lately I have felt it a good deal. . . . DAVID MILNE.

336. London, 15th April, 1816 :—My dear Sir, I arrived here on Friday evening, having staid a day at Newcastle, waiting for my trunk, which I left at Berwick, a very foolish thing, you will say. I saw Admiral Hope, to-day, and showed him my letter to Lord Melville. He perfectly allows the justness of my claim, but says there are several other officers in the same predicament as myself. He advises me to see Lord Melville on Wednesday. I should have seen him to-day, but perhaps Hope wishes to converse with his Lordship first. I understand Halifax is to be offered to me if Lord Melville remain at the Admiralty. . . . I have been much pleased with the gas lights in the street, and almost all the taverns and shops are lighted with it. By getting a very small pipe from the branch in the street—it runs along the cornice of the room, and smaller pipes supplie each light which may be wanted,—as many lights may be got as wanted to the highest rooms and each light cost about four guineas a year; and they are most brilliant, without any smell, and can be lighted and put out in an instant. . . . Yours very truly, DAVID MILNE.

337. 41, Norfolk Street, Strand, London, 1st June, 1816.—My Dear Sir, . . . I have been all yesterday at the Admiralty about different matters respecting the lakes in Canada, I regret to find it the intention of Government to expend large sums of money there in making canals, roads, wharfs, &c. I told Lord Melville to-day that in a few years the ships would be quite decayed. He said they only intended to keep up the frames. I cannot help thinking it would be better for this country if we were quit of Canada altogether. . . . From what I have seen at the Admiralty yesterday I find I shall have a very laborious duty to perform when I get to Halifax, the station is so extensive, and a large establishment to be kept up at Bermuda. . . . DAVID MILNE.

338. London, 13th June, 1816. . . . I expected my orders yesterday, but was told I must now wait until the papers we have been busy at the Admiralty with be laid before Lord Bathurst. Ministers are, I believe, much at a loss how to act with respect to

Canada. If we are to keep up our establishment there and be ready to act against the Americans, the expense will be so enormous that the country cannot afford it. . . . There will arise many disputes, the Americans claiming islands and water passages that it is impossible for us to grant without throwing our frontier, particularly the Niagara one, quite open to them. . . . From what I have seen it would be lucky for this country to be well rid of it. It is certainly a fine country, but too distant for us to defend against so powerful a neighbour. The command of Nova Scotia has been offered to Sir Gordon Drummond, now in Canada, but it is understood he will not accept of it, and when his answer comes Lord Dalhousie will proceed to Halifax. . . . DAVID MILNE.

339. London, 3rd July, 1816 :—My dear Sir, . . . I am now unexpectedly ordered to proceed with Lord Exmouth against Algiers. The *Leander* is to go with us, but I am to hoist my flag on board the *Impregnable*. There will be five large ships and five frigates besides bombs, etc., etc., etc. The expedition cannot be ready before next week. It is intended I shall go to America from the Mediterranean after we have settled matters at Algiers. . . . You will observe by the papers that the Duke of Wellington is in town. It is not known what has brought him over. It was certainly unexpected and has caused some sensation. Great distress prevails in the mercantile world, and almost universal bankruptcy in the city. I never saw such dispondency. . . . DAVID MILNE.

340. H.M. Ship *Leander*, Gibraltar, 13th September, 1816.—My dear Sir, I write a few lines to go by post from this place as they may reach you before this ship arrives in England, as I know you will be anxious to learn the fate of our expedition to Algiers. We arrived in that bay on the morning of the 27th August, and at 11 o'clock sent in a flag of truce offering the terms directed by the Prince Regent; but no answer being returned, we bore up and took our stations close to the fortifications, Lord Exmouth in the *Queen Charlotte* leading and anchoring within 60 yards of the Molehead. The enemy allowed that ship to anchor before they opened their fire. We began at a quarter before three o'clock and the conflict was tremendous, but we very soon demolished their upper tier of guns and they were obliged to desert almost all the near batteries except the lower tiers which annoyed us much. The battle was dreadful, but just after sunset their whole fleet and gunboats in the Mole were in flames, and some had very near drifted on board the *Queen Charlotte* and *Leander*. At half past nine o'clock the object of the expedition being fully accomplished and a light air of wind coming off the land, we all hauled out and anchored. Next morning the terms were again offered, and if not accepted a renewal of the attack on their now defenceless city. But the Dey most gladly accepted of them, besides being forced to make a public apology to the Consul for the bad usage he had received. Never did the British Navy achieve such a

victory as this, and there is no instance on record of ships being exposed to such a tremendous fire and for such a length of time. In a future letter I may give you many particulars which I have not now time to do. Our loss has been great—Lord Exmouth slightly wounded; myself a severe contusion in the inside of my thigh, but it is now nearly well. The *Impregnable*, my flagship, suffered much, as we were opposed to the strongest batteries. She is very much cut up and we had 214 killed and wounded. This ship is also very much injured, which obliges her to go to England to be repaired, and I carry home Lord Exmouth's dispatches. His lordship has behaved in a most flattering way to me. I was second in command. We had a small Dutch squadron of frigates who acted by themselves, and we made peace for the King of the Netherlands on the same terms as for ourselves. I send you a small plan of the place and the position of our ships DAVID MILNE.

Terms—1. Christian slavery for ever abolished. 2. All Christian slaves of whatever nation in the kingdom of Algiers delivered up to Lord Exmouth without ransom. 3. All money received as ransom since the beginning of this year sent on board our ships. The Dey to make a public apology to our Consul. This, with the destruction of his sea batteries, fleet, gunboats and stores, will make the Algerines remember the British Navy. D. M.

341. London, 26th September, 1816.—My dear Sir, . . . Sir George Nayler, the Secretary and Genealogist to the Order of the Bath, has sent me official papers to fill up of my public services, which I have done; also to state to him family pedigree, with an impression of the armorial ensigns used by me, etc. . . . The Admiralty are to make a small promotion; the three senior commanders to be made post; the two flag lieutenants and first lieutenants of ships of the line and frigates, commanders; and four midships from each large ship and two from the others, lieutenants; captains who were not before Companions of the Bath to be made so; those who were C.B. before, no notice taken of them; the Captain who arrived with the dispatches, knighted. The world say it ought to be thus—Myself K.C.B. and Baronet; C.B. before, knighted, and those not C.B. before to be made so. I urged the Admiralty to give medals to the seamen, as I thought it would be for the good of the service, as it hurt them much to see the soldiers have medals and them not. I am afraid it will not be done. No battle fought with ships [was] such as this, and the *Impregnable* had three batteries of three tier each on her. The following is our expenditure in ammunition in *Impregnable*: powder, 15 ton, 60lb.; shot, 100 ton; shells, $3\frac{1}{2}$ cases; grape and canister, 500 no.; carcasses, 8 inch, 12; rockets, 32 pounders, 80; upwards of 180 broadsides fired. Large shot that struck the hull of the *Impregnable*, 233; in mast and yards, 35, (268) mostly 68 pounders; 15 through the main mast. . . . Yours most truly, DAVID MILNE.

342. London, 5th October, 1816.—My dear Sir, . . . I was knighted and invested with the order of K.C.B. on Wednesday last. After I was invested the Prince ordered every person out of the room except Lord Melville and myself. He entered into the most familiar conversation with me for upwards of half an hour and seemed quite delighted with the result of the expedition and paid many high compliments to the fleet. He entered a little into the American affairs and respecting their views on Mexico. . . . I understand when Lord Exmouth arrives the Prince means to give us a dinner at Carlton House. . . . I was all Thursday with Sir William Congreve at Woolwich trying some experiments with rockets and about some improvement on ship guns. The rockets are becoming of great service. They are indeed tremendous. We fired one of 400lb. The effect on town and shipping is dreadful; and they were of very great use at Algiers. The Prince inquired particularly about them. . . . DAVID MILNE.

343. London, 18th October, 1816.—My dear Sir, I was in hopes of getting away from this before now, but have been detained by the promotions, which I wished to see settled before I came away. I have got my two lieutenants who were with me in the Bulwark made commanders, and Mr. Baird of Newbyth's son, a lieutenant. Lord Exmouth left town yesterday. We made strong application to give the officers and seamen medals, but I am sorry to say we have not yet succeeded. We have received foreign orders, and the Pope has publicly prayed for the whole English nation, and our own country did not even fire the Tower guns. The Prince Regent has been most gracious and on every occasion speaks most highly of the victory and in the most flattering terms of the conduct of the Fleet. I am certain His Royal Highness would do anything that was pointed out to him. He gave us a dinner on Tuesday last, at Carlton House. Only sixteen were invited, almost all sea officers, Lords Melville and Sidmouth were there, and our reception was most flattering. When he entered the room he shook me by the hand and said he was most happy to see me as somebody had mentioned I was gone to Scotland. He did everything that was possible to please. At the desert the principal ornament before him was a ship made in candy with the English flag over the Dey's. . . . DAVID MILNE.

344. London, 29th January, 1817.—My dear Sir, . . . I am still without my orders to proceed to my station, and Ministry are so much alarmed that they are reducing the expence of the Navy as much as possible. All the frigates are to be taken from the Newfoundland station, and some of the ships from me, and the vessels on the lakes of Canada are to be paid off and only a very few men left to take charge of them. I told Lord Melville I hoped he would go a step further and abandon them altogether; it is such an enormous expence to this country; and we cannot keep Canada if the Americans declare war against us. I believe Ministry now view it in this light. I think our West India possessions are in much more danger from what is going on in

the Spanish Colonies, and the assistance the Americans are giving the insurgents; and should they get possession of Cuba, which is certainly what they are looking to, our colonies would be in more danger than from our abandoning Canada; and while we keep possession of Nova Scotia, Canada would be of very little use to them. You will see by the papers the outrage committed yesterday on the Prince Regent. Two balls were certainly fired from an air gun. The glass being very thick they made two holes and drove the small splinters in, but the balls had dropped outside from want of force in the gun. If only one ball had been fired it might have been fatal. . . . I cannot write . . . to-morrow or the day after as I accompany Lord Exmouth to Ironmongers' Hall exactly at three o'clock to get our freedom and afterwards with the officers of the Company to the Mansion House to receive our swords from the Lord Mayor, and then back again to Ironmongers' Hall to dinner at 5. . . . DAVID MILNE.

345. Letter from Admiral Milne's father. Campie House, Tuesday, 4th March, 1817.—My dear Sir,—Your esteemed favor I received last Friday, and the box with the sword, &c., &c., in the evening . . . My son has been highly honored by the greatest city in the world, and much so by his friends in the Navy. Lord Exmouth has given him a gold box with emblematical figures on the lid, viz., a slave bearing a cross—looking up to it in an attitude of devotion; his chains hanging round him broken; above his head the word "Free"; at one side of him the word "Exmouth"; on the other side the word "Milne"; at the foot two hands joined. Lord St. Vincent has sent him, by Sir George Gray, an engraved portrait of himself: one hundred only to be thrown off for his friends and then the plate to be destroyed . . . Believe me to be, my dear Sir, with great regard and esteem, your obliged friend, DAVID MILNE.

346. Halifax, 14th June, 1817.—My dear Sir, We arrived here the 8th instant. . . . I think in my last I mentioned having given orders to seize all American vessels found fishing in the harbours of this station. Twenty have been sent in by Captain Chambers of the Dee. This question of right of fishing must now be settled. . . . The inhabitants have hitherto received much injury from the swarms of American vessels taking away their fish and otherwise annoying them very much. If we are to keep this province the inhabitants must be protected, and if the fishery is encouraged it will prove a great source of wealth to the mother country and this, and become a great nursery for seamen. Before the declaration of war by America they were allowed to fish and cure them in all our creeks and harbours. By declaring war our Government say they have forfeited that right. I have done my duty. It must now rest with the Government at home. I do not mean to proceed to Canada this summer as I have no frigate but the Leander here. The Pactolus being found rotten I was obliged to order her home. I mean to go all round this province in a short time, and Lord

Dalhousie goes with me. It has been much neglected, and large tracts of land having been granted to individuals hinders settlers getting small lots—is a great bar to the prosperity and improvement of the county. Lord Dalhousie is using all his endeavours to get back these large grants which have not been improved in a certain degree which they were obliged to do. But it will be a difficult task, as the principal people in the Government here hold the largest grants and oppose his Lordship's intention all in their power. . . . DAVID MILNE.

347. Halifax, 2nd October, 1817.—My dear Sir, . . . The trial of the American fishing vessels I ordered to be detained has at last come on, and the judge has acquitted them. I never was so surprised or disgusted with anything in my life. In giving the decision he stated he had seen no orders or instructions respecting them from our Government. Yet I attended at the request of Lord Dalhousie a meeting of Council of which the judge is a member, and laid all my instructions and correspondence with our Minister in America before them, which were clear and distinct, yet he acted perfectly contrary to the intentions of our Government in acquitting them. I have wrote to the Admiralty in the strongest manner I can respecting this, and will still order every vessel of that description to be brought in . . . I am aware that I am responsible for everything respecting this delicate question and will be particularly cautious neither to commit myself or the ministry. I have just returned from visiting the different harbours in the Eastern part of this province and in the mouth of the St. Lawrence. It is a county capable of raising any kind of grain and full of the finest harbours I ever saw Every part of the coast swarms with fish which can be exported to any amount. At Picton I visited a strata of coal which can be put into barges at a few hundred yards distance. . . . The seam is fifty feet thick and the same quality as the best Newcastle coal. . . . I visited Prince Edwards Island, which is the finest land I ever saw for farming, and I traced the same seam of coal I have mentioned to that place. . . DAVID MILNE.

348. Bermuda, 26th December, 1817.—My dear Sir, . . . I had a pleasant excursion with Lord Dalhousie, through the northern part of Nova Scotia and New Brunswick. It is a fine country, clearing very fast, and capable of great improvement, but from the length of the winter I think they ought to confine themselves to raising stock. . . . I could not help observing wherever we went a want of energy in our Government both with respect to their own interests and the interests of the colonists. St. Johns, N.B., is at present a most thriving place, and the river St. Johns a most noble river. We went to Frederick town, 90 miles up, in the steamboat; and along the banks of it I never saw a finer country for raising cattle. The principal trade at present, however, is the exportation of timber. . . . Lord Dalhousie expects to go to Canada next summer as Sir T. Sherbrook goes home. He will not remain above three years, he says; which I think quite

long enough. Lord Selkirk and the N.W. Company, I hear, have made up matters. It is high time; and a good many lives have been lost. . . . DAVID MILNE.

349. Bermuda, 26th January, 1818.—My dear Sir, . . . The Americans have taken possession of Amelia Islands from the Spaniards. What reason they can assign it is impossible to say. They are a most insidious set, and I am certain their ultimate aim is to get possession of Cuba. It is surprising to me the Continental powers take no notice of these things; and, although their Acts of Congress and proclamations breath nothing but goodwill to Spain, yet they allow the insurgent (really American) privateers to fit out in their harbours, and bring in their prizes there. I perfectly agree in your opinion that it is the interest of England and America to be on good terms; but rest assured they will only be so until they have an opportunity of injuring us. . . . DAVID MILNE.

350. Halifax, 20th June, 1818.—My dear Sir, . . . We were all much surprised on our arrival here to find the Duke of Richmond appointed to Canada. Lord Dalhousie had just wrote me that both Lord Bathurst and the Duke of Yorke had wrote to him in the most flattering way of his succeeding to that government. Everybody thinks he has been ill used, and I believe he is not pleased himself. He is, however, to wait for this season, and if no sufficient reason or explanation given he will return home in the Spring. . . . The American fishermen have not as yet come in such numbers to this coast as they did last year. I have issued the same orders, and I rather think they have been annoyed so much they will go somewhere else. A good many are I understand in the mouth of the St. Laurence; but there also I shall send a cruiser and give them no peace. It is a thing of the utmost consequence to the inhabitants of this province to keep them away. I had a letter from Lord Melville on the subject and I am sorry to find it is still under discussion at home, and whether the Treaty of Peace of 1783 is still to be in force. . . . A great many emigrants are still crowding out here; and Lord Dalhousie is giving them grants of land that has fallen to the Crown. . . . DAVID MILNE.

351. Halifax, 20th July, 1818.—My dear Sir, . . . By a letter from my agent dated the 5th June he gives me the afflicting intelligence of the death of my good father. . . .

352. Picton, Gulf of St. Laurence, 17th September, 1818.—My dear Sir, . . . We have been again visiting this part of Nova Scotia and also Louisberg and several places in Cape Briton. Louisberg must have been a fine place when the French had possession of it, and nothing could surprise me more than our having blown up the fortifications and abandoning it and making the capital on the other side of the island where there is even now only a few miserable houses. The fortifications are, however, still formidable, and might be again repaired, and should we be drove out of Canada, would be a proper place for our

troops to retire to as it commands the entrance of the Gulf of St. Laurence and they would be ready to act in the defence of the Isthmus of Nova Scotia. That such a thing may come to pass some years hence I think very probable. The American fishing vessels I ordered to be sent in have been brought to trial and condemned, but not for having been found fishing in our harbours, but for a breach of our Trade and Navigation Acts; so this question is left as it was. . . . Next packet will, I hope, bring me accounts from Lord Melville of my being superseded. Of course, when my successor arrives I will immediately return home. . . .
DAVID MILNE.

353. Bermuda, 14th November, 1818:—My dear Sir, We arrived here on the 2nd instant after a very rough passage of eight days. . . . The yellow fever has got into the island and many have died of it. There is no doubt it was imported in an American vessel. The master and one man died a few days after her arrival; and part of her cargo was purchased by the Naval Yard, where the fever immediately broke out, and many of the artificers and soldiers fell victims to it. It generally proved fatal the third day. . . . It has been chiefly confined to new comers, young people under 20 and women. I expect soon to have Lord Melville's answer to my application about being superseded, and I shall not be sorry to return home. My successor, I think, may have a troublesome time of it, for we cannot remain long in our present political situation with America. I give till next June, either to have a commercial treaty or a war. . . .
Yours very truly, DAVID MILNE.

BURGESS TICKETS, 1635–1735.

354. Sir Alexander Home, gentleman of his Majesty's privy chamber, as burgess and guild brother of Stirling, dated 25th August, 1635. Signed by John Williamson, town clerk.

355. George Home of Wedderburn, as a burgess of Anstruther Easter; admitted by John Lindsay and William Black, two of the bailies, with a competent number of the Council, in consideration of the "considerable favours and courtiuousies that George Home of Wedderburn is able to conferre and bestowe upon the said brugh." Signed by Androw Symson, clerk; dated 24th June, 1659. More than half of the seal of the burgh still remains.

356. Sir George Home of Wedderburn, as a burgess and guild brother of St. Andrews, admitted by James Wood, provost, Andrew Carstairs, dean of guild, David Falconer, James Robertson and Henry Sword, three of the bailies; signed by James Watson; dated 30 July, 1660.

357. Captain George Home of Wedderburn, as burgess and freeman of Wigtoone; admitted by the magistrates and council on 18th June, 1685; signed by J. Campbell, clerk depute.

358. Sir George Hume of Weatherburne, as a burghess of Berwick upon Tweed, admitted by "the Mayor, bailiffes and burghesses in the Common Councell" assembled, in appreciation of his loyalty to the King "and his kindnesse and good wishes for the prosperity and welfare of this corporation;" dated 19th May, 1687.

359. George Home, younger, of Wedderburn, as burghess and guild brother of Haddington; admitted by John Lessels, dean of guild, with consent of his brethren of the Council, on the 22nd August, 1688; signed by John Smythe, clerk. The burgh seal, almost entire, is still appended.

360. George Home, younger, of Wedderburn, as burghess and guild brother of Edinburgh; admitted by George Home, of Kells, Lord Provost, Hugh Cunninghame, George Warrander, Robert Hamilton and William Neilson, bailies; Patrick Haliburton, dean of guild, and the guild Council, on 22nd February, 1699; signed by Æneas Macleod, clerk.

361. George Home, younger, of Wedderburn, as burghess and freeman of Dysert; admitted by John Black, bailie, on 15th July, 1706; signed by "Wa. Pittillo," clerk.

362. Patrick Hume, of H.M. Ship, Medicus, as burghess and guild brother of Aberdeen; admitted by Robert Stuart, provost, William Cruikshank, Dr. James Gregorie, William Smith, and William Chalmers, bailies; Alexander Westland, dean of guild, and George Mowatt, treasurer, on 21st January, 1725; signed by Alexander Thomson, clerk. The burgh seal is still appended.

363. David Home of Wedderburn, as burghess and guild brother of Jedburgh; admitted by James Douglas, provost, James Davidson, George Mertone, Archibald Douglas, and William Brown, bailies; and John Jardine, "edile," on 10th May, 1735; signed by John Haswell, clerk.

II.—WRITS AFFECTING LANDS ORIGINALLY BELONGING TO THE PRIORY OF COLDINGHAM.

1. AUCHINCRAW.

364. Instrument of Sasine given on . . . July, 1494, by a "honorabilis armiger," Philip Nesbet of Paxtoun, as superior with his own hands to an "honorabili armigero," David Rantoun of Billy, as lawful and nearest heir of the deceased David Rantoun of Billy, his father, in three husband lands lying in Aldingeraw, in the barony of Coldingham and shire of Berwick; witnesses, Nicolas Paxstoun, John Aldingeraw, Patrick Paxstoun, James Paxstoun and James Dewar; Robert Aytoun, priest of St. Andrew's diocese, notary.

365. Instrument of Sasine given on 14th September, 1529, by Andrew Aldyncraw in person to David Rantone of Bylle, as lawful and nearest heir of the deceased David Rantone of Bylle, his father, in the land called the Sowneland, lying in the town of Aldyncraw, in the barony of Coldingham and shire of Berwick; witnesses, James Paxton and others; Archibald Rantone, M.A., clerk of St. Andrew's diocese, notary.

366. Instrument of Sasine in favour of Janet Johnston *alias* Janet Myllar, in a piece of husband land called the Kylland (Kilnland) in the town and territory of Audyncraw, in the barony of Coldingham, dated 7th November, 1560; witnesses, David, James and George Paxton, brothers, and Andrew Johnston, all indwellers in Audyncraw; Archibald Rantone, M.A., notary.

367. Feu charter by Sir Nicolas Nicolsoun, prebendary of Barnside in the College of Dunglass, whereby, with consent of Mr. John Home, Provost of Dunglass, and the Chapter and other prebendaries thereof, and also of Alexander, Lord Home, undoubted patron of the provostry of Dunglass and the said prebend, he grants to John Rentoun of Billie the five husband lands, being the Church lands belonging to the granter's prebend of Barnsyde lying in the town and territory of Auchincraw, barony of Coldingham and sheriffdom of Berwick, which the said John Rentoun has formerly and until now held of him in tack, and of which he and his deceased father, David Rentoun, have been tenants; to be held of the granter and his successors, prebendaries of Barnside, in feu for payment annually of the old rent of £5 Scots, and 6s. 8d. of augmentation, with duplication at the entry of heirs. The charter contains a precept of Sasine directed to John Yalloseis, and is dated at Dunglass, 3rd April, 1569; witnesses, the said John Yalloseis, John Renton, Robert Ellem and others. Signed: SIR NYCOLL NICHOLSON, with my hand; M. JOANNES HUME, prepositus de Dunglass, manu propria; SR HEW HUTSOUNE, w^t my hand; ALEXR. L. HOME; FRANCIS VILLSOUN, w^t my hand. There are appended the seal of Alexander Lord Home, the common seal of the Chapter somewhat broken and defaced, and the seal of Sir Nicolas Nicolson—a shield bearing three crosses, two and one. Sasine was taken upon the foregoing charter on 8th December, 1574; witnesses, Patrick Lumsden, brother german of John Lumsden of Blenherne, James Brounfeild in Farnerig and David Cockburn in Shortuprig, George Craig, clerk of the diocese of St. Andrews, being notary.

368. Charter by David Ellom of Raintoun, with consent of Gilbert Ellom, his brother german, whereby he sells to John Raintoun of Billie his husband land and half husband land in the territory of Auchincraw occupied by Thomas Paxtoun, to be held of the granter blench, or of John Nisbet of Paxtoun, lord superior thereof, for payment of one penny annually at Whitsunday, if asked; dated at Billy, 24th February, 1570; witnesses, Robert Congiltoun and Robert Ellom in Billy, George Craig, notary, and others. Signed. DAVID ELLOM of RANTOUN w^t my hand GILBERT ELLOM w^t my hand.

369. Instrument of Resignation and Sasine narrating that on 12th December, 1571, Janet Johnston, indweller in Awchincraw, surrendered and resigned a piece of land called the Killand, into the hands of John Awchincraw, superior thereof, and that the said John Awchincraw thereupon gave sasine in the said piece of land to John Rentoun of Billy; witnesses, Gilbert Ellem in Brockholis, John Rentoun, domestic servant to the said John Rentoun of Billy, and David and Thomas Paxtoun in Auchincraw, George Craig, clerk of St. Andrews diocese, being notary.

370. Contract between John Rentoun of Billie, on the one part, and William Paxtoun *alias* Laird Paxtoun, in Auchincraw, and Nicol Paxtoun, his son and apparent heir, on the other part, whereby the said John Rentoun renounces all actions he has against the said Paxtouns before the Lords of Session for their violent occupation of four husband lands in Auchincraw, being kirk lands of the prebend of Dunglass, and promises to hold them as his good friends. Nicol Paxtoun agrees to marry Elizabeth Auchincraw, lawful daughter of James Auchincraw of Gunnisgrene; and he and his father promise to discharge all actions they have against Renton and all claims to these four husband lands. For further maintaining of this amity the said William Paxtoun, having six husband lands in the town and territory of Auchincraw, hereby exchanges these with the said John Rentoun for his six husband lands in West Restoun, and John Rentoun is to guarantee the titles thereof. Moreover the said John hereby also feus to the said William and Nicol Paxtoun other two husband lands of his lands of West Restoun for the yearly payment by them of two merks Scots. David Ethington of that Ilk and James Auchincraw of Gunnisgrene, both present, become cautioners for the fulfilling of the contract, which is dated at Billie, 12th November, 1576; witnesses, William Cokburne of that Ilk, younger, Patrick Ethington, natural son of the said David, John Rentoun in Wester Restoun, William Paterson in Wester Billie, and others.

371. Contract whereby Philip Nisbet of Swansfeld, as superior of the six husband lands called the Cald lands and of the lands called the Kiln lands occupied by John Auchincraw, son and apparent heir of the deceased John Auchincraw of that Ilk, and his tenants, in the town and territory of Auchincraw and barony of Coldingham, and as having right to the ward, nonentry and marriage of the said John, has, at the entreaty of several mutual friends discharged the said John of the ward, etc., of his said lands for the time past, and binds himself to infest him therein; and for this the said John has instantly paid him 80*l.* Scots. Dated at Auchincraw, 20th March, 1595-6; witnesses, James Auchincraw, portioner of Swynewode; Adam Nisbet, brother german of the said Philip; Andrew Home, brother to Lancelot Home in Chyrnsyde, John Bog in Auchincraw, John Paxtoun there, John Horne in Eyemouth and John Dewar there, his servant.

372. Precept of *Clare Constat* by Philip Nisbet of Swansfield for infefting David Rentoun of Billie as nearest and lawful heir of John Rentoun of Billie, his father, in the three husband lands in Auchincraw in which his father died last seased. Dated at Billie, 12th October, 1599; witnesses, Robert Collace in Billie; George Thomsone there; Mr. George Ridpeth, minister at Bonele; George Sprott, notary, and others.

373. Notarial instrument taken by David Paxtoun in Auchincraw as procurator for John Rentoun of Billie, in the hands of John Richartstone, notary, of his presentation to John Auchincraw, portioner of that Ilk, as superior, of the following second precept of Sasine from Chancery:—*Jacobus, Dei gratia Magne Britannie, Francie et Hibernie Rex, &c., fideique defensor, dilecto nostro Joanni Auchincraw, superiori terrarum subscriptarum, et ballivis suis, salutem. Meminimus nos vobis alias dedisse in mandatis quod juste et sine dilatione liberari faceretis dilecto nostro Joanni Rentoun nunc de Billie vel suo certo actornato sasinam totius et integre unius terre husbandie vocate Killand cum pertinentiis jacentis in villa et territorio de Auchincraw, baronia de Coldinghame et vicecomitatu nostro de Beruik, salvo jure cujuslibet; quod mandatum nostrum hucusque facere minime curastis, prout intelleximus, super quo miramur: Vobis precipimus ideoque iterato et firmiter mandamus quatenus hoc eidem Joanni vel suo certo actornato latori presentium juste haberi faciatis et sine dilatione, salvo jure cujuslibet; et hoc nullo modo omittatis. Teste meipso, apud Edinburgh, decimo septimo die mensis Aprilis annis regni nostri quadragesimo nono et decimo quarto, 1616.*—The Instrument proceeds to relate that the said John Auchincraw still refused to give sasine. This was done in the dwelling house of the said John Auchincraw between 6 and 7 o'clock in the morning on 22nd July, 1616, there being present, John Paxtoun, *alias* 'Eister Johne' indweller in the said town of Auchincraw and portioner thereof, and George Patersone in Little Billie. There is, however, a precept granted by John Auchincraw, dated at Billie, 29th March, 1620, for giving sasine in the Killand to John Rentoun of Billie as nearest and lawful heir served and retoured to his grandfather, James Rentoun of Billie.

374. Notarial Instrument, dated 13th July, 1616, narrating a protest by George Brown in Auchincraw as procurator for John Rentoun of Billie, who passed to the presence of John Nisbet of Swansfield as superior of the lands aftermentioned and presented two second precepts from Chancery requiring the said superior to give sasine to John Rentoun aforesaid (1) in one and a half husband lands and the piece of land called Braidaiker, and (2) in other three husband lands, all in the territory of Auchincraw, both precepts bearing date 17th April, 1616. Thereupon the said John Nisbet protested "that he wald not refuse to give sesing to the said Johne Rentoun" if he would perform "all that he aucht by law," to him, and that meanwhile he would delay. This was done in the house of Frances Melvill in Coldingham

about 4 p.m., there being present James Spens, portioner of Chirnsyd, James Kellie and Francis Melvill in Coldingham and John Renton in Auchincraw. There is, however, a precept granted by John Nisbet for infefting John Rentoun in these lands dated 12th October, 1616, upon which sasine was taken on the 26th.

375. Will of Alexander, Bishop of Raphoe, dated at Raphoe, 12th June, 1701. He states that he has been long in infirm health, and appoints his nephew, George Home of Whitefield, his sole executor. Legacies are left to Alexander and David Craw, the two sons, and Margaret and Christian Craw the daughters of Mr. Patrick Craw of Heucheid and Margaret Home, his wife, lawful daughter of Alison Carncroce, the granter's sister, both now deceased. The said George Home is called their uncle.

376. Bond of thirlage by James Pennie, portioner in Auchincraw, narrating that the bailie of the baron court of the barony of Hornden had on astricted the whole vassals of the lands of Auchincraw to the mill of Billie, "to grind the haill corns that they shall make use of for their families at the said miln and to pay thirle dutie therefor," and that he and his heirs will conform themselves thereto. He binds and obliges himself "to grind the haill corns that I shall make use of for my family or that shall be made use of by any levying within my ground," under the penalty of 20*l.* Scots *toties quoties*. The bond, which is written by Christopher Smith, servitor to James Winram, sheriff clerk of Berwick, is dated at Auchincraw, 18th May, 1714. Put up with the bond is a copy of the act of the Baron Court, which was held at Auchincraw, on 1st February, 1712, by George Rothead, merchant in Dunse, bailie, there being present with him, William Boig, Patrick Boig, James Rennie and John Purves, and there being absent, Robert Paxtoun and George Fair. The act is signed by GEO. ROUCHELLD; and it is mentioned that William and Patrick Boig entered a protest against the making of the act and took instruments thereon.

377. Precept of *Clare Constat* by John Home, provost of the College of Dunglass and prebendary of Barnsyde, in favour of John Rentoun, sometime of Billie, as nearest and lawful heir of John Rentoun of Billie, his grandfather, in the five husband lands being the kirklands of the prebend of Barnside in Auchincraw. Dated at Edinburgh 26th March, 1734. Signed, M. J. HOME.

2. AYTOUN.

378. Charter by John, prior of Coldingham, to George Home, son of Alexander Home of that Ilk, of the four carucates of land in Aytoun which formerly belonged to John of Aytoun and were resigned by him in the hands of the sub-prior at Dunglas; to be held of the granter in fee and heritage as formerly the said John of Aytoun and his predecessors held them. Dated at the Monastery of Coldingham, 10th March, 1465; witnesses, Sir Thomas Thothric, notary, and others. Sasine followed on this

charter on 14th March, the same year, given by Adam Wayit, who along with William of Aldyncraw, Edward of Lumysden, Gilbert of Lumysden, and Patrick of Nesbit of Wynchelis are designated as bailies in the Prior's precept of sasine. George Home takes infeftment in person at the chief messuage of the lands; witnesses, John Ledaile, Walter of Aytoune, Thomas of Aytoune, Richard Polwart, Robert Polwart, John Maxsoun and others, and Sir Thomas of Tothric, priest of St. Andrew's diocese, notary.

379. Instrument of Sasine in favour of George Home of Wedderburn in one husband land and three acres of land with pertinents within the town and territory of Aytoun, given by James Home, as bailie of George Home of Aytoun, at the principal messuage thereof on 9th November, 1470: witnesses, Patrick Home, John Mak, John Couper, John Myll, George Dow and John of Polwart; William Bell, priest of St. Andrews diocese, being notary.

380. Licence by King James the Third to George Home, son of Alexander Home of that Ilk, knight to erect the Castle of Ayton. 1471.—*Jacobus Dei gracia rex Scotorum, omnibus probis hominibus suis ad quos presentes litere pervenerint salutem. Sciatis quod dedimus et concessimus ac tenore presencium damus et concedimus dilecto et fideli nostro Georgeo de Hume, filio dilecti nostri Alexandri de Hume de eodem, militis, et heredibus suis, liberam facultatem et nostram licenciam specialem turrim sive fortalicium in terris suis de Aytoune jacentibus infra vicecomitatum nostrum de Berwic, pro resistencia nostrorum inimicorum Anglie construendi et edificandi, ac ipsam turrim sive fortalicium muris et fossis cum le barmking et macheoling fortificandi, circumeingendi portisque ferreis firmandi et muniendi ac in altum erigendi, et in summitate ejusdem ornamentis bellicis et defensivis preparandi et ornandi, constabularios, janitores, vigiles, carcerum custodes et alios officarios in dicta turre sive fortalicio constituendi et ordinandi ceteraque omnia et singula ad perfectionem et consummacionem turris seu fortalicii huiusmodi que convenire valent necessaria faciendi et perficiendi, sine obstaculo aut contradictione quacunque. Quare universis et singulis ligiis et subditis nostris stricte precipimus et mandamus ne quis in contrarium dicte nostre concessionis aliquialiter devenire presumat sub omni pena que competere poterit in hac parte. Datum sub magno sigillo nostro apud Edinburgh, primo die mensis Marcij, anno Domini millesimo quadringentesimo septuagesimo et regni nostri undecimo.*

381. Instrument of Sasine in favour of George Home of Wethirburne in the lands of Aytoun, proceeding upon a precept by John, Prior of Coldingham; given on 19th November 1495 by Alexander Symson, as bailie; witnesses, George Ker of Samuelstoun, Walter of Aytoun, George of Polwairth, John Johnstone, William Allane and others.

382. Instrument of resignation by John Home of Dunse, son and heir of George Home of Aytoun, in the hands of John, Prior of Coldingham, of the lands of Aytoun, with the tower or

fortalice thereof and their other pertinents, lying in the barony of Coldingham and sheriffdom of Berwick; whereupon the said Prior gave new possession therein to the said John Home. Dated 2nd July, 1407 (*sic*, l. 1497); witnesses, Patrick Home of Fastcastel, John Allyrdesse, and George King; John Thomsonn, priest of St. Andrew's diocese, being notary.

383. Instrument of Sasine following thereupon dated 3rd July, 1497, given by William Symson, sergeant deputie of the barony of Coldingham, to the said John Home of Dunse in person; witnesses, David Home, indweller in Swynewood; James Ramsay, John Carnis and others.

384. Instrument of Sasine, dated 12th April 1602, in favour of Elizabeth Edmestoun, sister of Andrew Edmestoun of that ilk, and future spouse of Patrick Home, apparent of Aytoun, in certain lands in Coldingham, in liferent, proceeding upon a charter by the said Patrick Home dated at Aytoun, 11th April, 1602, and witnessed by John Home, his brother german, Mr. William Hoge, minister at Aytoun, John Horne, notary, and others. The Sasine is witnessed by Mr. Alexander Watson, minister at Coldingham, John Oswald, schoolmaster there, Abraham Coisser there, George Todd, and Robert and Ninian, sons of John Kae, servants of the said Patrick Home. There is a Charter by King James the Sixth under the great seal to Patrick Home, younger of Aytoun and Elizabeth Edmestoun his spouse, in certain lands in Coldingham and Aytoun, dated 9th February, 1605 (described *sub dato* in Registrum Magni Sigilli, No. 1557).

385. Contract dated at Edinburgh, Broxmouth and Gunsgreen, 2nd and 3rd July and 8th September, 1614, between Lady Anna Home, one of the two daughters and heiresses of the deceased George, Earl of Dunbar, for herself, and as having right from her sister, Lady Elizabeth, and Theophilus, Lord Walden, Lady Elizabeth's spouse, and with consent of Sir James Home of Whiterig, knight, her own husband, on the one part, and Mr. Alexander Lawder, portioner of Coldingham, William Craw, son to the deceased George Craw of Netherbyre, James Ramsay of Foulenbastell, John Dunlop in Nether Aytoun, Nicol Home, brother german of the deceased Andrew Home of Nynewells, and Mr. William Home of Graden, on the other part, whereby the said Lady Anna feus to them the lands of Stamyntowne; comprehending the lands of Netherbyre and Reidhall, with the walk mill and mill lands thereof, and the lands of Nether Aytoun and Gunsgreen, with their pertinents, viz.: to the said Mr. Alexander Lawder and Christian Clapperton, his spouse, the four husband lands of Gunsgreen; to William Craw, the lands of Netherbyre and Reidhall with the walk mill, etc., extending to twelve husbandlands; to James Ramsey, the four husband lands of Nether Aytoun; to John Dunlop, other four husband lands of Nether Aytoun, and to Mr. William Home of Graden, other four husband lands of Nether Aytoun; and for this these persons are to pay to the said Lady Anna, each their respective portions of 32,000 marks in name of grassum with entry silver, and yearly the respective feu duties contained in their infeftments.

386. Testament dative of Samuel Home at Aytoun Mill, who died within the parish of Aytoun in May 1617; given up by William Cranstoun in name and behalf of William, Samuel, Elspeth, McDillan and Christian Home, lawful children to the defunct. His estate is valued at 405*l.* 6*s.* 8*d.*, and there are debts due to him amounting to 160*l.* 10*s.* He is indebted in the sum of 337*l.* 6*s.* 8*d.*, of which part is to the Laird of Wedderburn for his rent of Beinrige and Cotrigs in Eyemouth; leaving 219*l.* 10*s.* of free gear; confirmed 9th December 1617 by Mr. Edward Merschell, Commissary of Lauder, Mr. Alexander Home, minister at Eckillis, being cautioner.

387. Ratification by Sir George Home of Manderston, knight, whereby, after narrating the disposition to him of the lands and others aftermentioned by Lady Anna Home, one of the two daughters and heirs of the deceased George, Earl of Dunbar, and Sir James Home of Quhitrig, knight, her spouse, and James Baillie of Lochend, with consent of Robert, Earl of Lothian, and Sir John Ker of Jedburgh, knight, for their interest, he, at the special request of the said Lady Anna, her spouse, and James Baillie, ratifies the feu charters following granted by them, viz.: (1) to William Craw, lawful son of the deceased George Craw of Flemington Flures, of the lands of Netherbyre and Reidhall, with the walk mill and mill lands, then occupied by Barthilmo Heriot, Peter Flint, John Gothray and Alexander Mertene, held and esteemed with the rest of the lands of Flemingtoun, otherwise called Nether Aytoun to eight husband lands, and of two oxengate of land commonly called Billieland lying in "Flemyngtoun *alias* called Nether Aytoun Reidhall, Flemyngtoun Flures *alias* Netherbyre, with the langrig and dowcat thairof," paying for the former 76*l.* 3*s.* 10*d.* with twenty four poultry fowls yearly, and for the two oxengate 1*d.* if asked, with duplication at entry of heirs and "ryding and serving the saidis superiouris, and thair successouris in thair honorable services quhen they salbe requyrit, the first day upone thair awne chairges and thaireftir upone the proper chairges and expensis of the saidis superiouris" with thirlage to the mill of Nether Aytoun; dated at Broxmouth, 31st August 1614: (2) to Nicol Home, brother german of the deceased Andrew Home of Nynewells, of four husband lands of the lands of Flemyngton called Nether Aytoun, then occupied by Archibald Fische, for the yearly payment of 38*l.* 1*s.* 11*d.* and the like services; dated as the preceding charter: (3) to James Ramsay of Fouldenbasthill, of other four husband lands of the said lands, then occupied by Thomas Hopper, for the yearly payment of 38*l.* 1*s.* 11*d.*, and a dozen "cayne" poultry, and the like services; dated as the preceding: (4) to John Dunlop in Nether Aytoun of other four husband lands of the said lands then occupied by himself, for the like feuduty and services and of the same date: (5) to Mr. Alexander Lawder, portioner of Coldinghame and Crystie Clapperton his spouse, of that part of the lands of Flemyngtoun called Gunisgrene, extending to four husband lands then occupied by himself, for the like feuduty and services, and

of the same date: and (6) to Philip Auchincrow in Nether Aytoun of four husband lands of the said lands of Flemington called Nether Aytoun, to be held on the same terms as the others, and of the same date: Sir George Home comes now in these charters in place of the said Lady Anna and her spouse, and restricts his warrandice thereof to his own facts and deeds only. Dated at Edinburgh, 18th November, 1618; witnesses, Richard Cass, writer, Alexander Cass, his servant, and John Leirmont, notary.

3. BILLIE and the family of RENTON.

388. Procuratory by Alexander Cockburne of Newhall appointing Robert Lawdir, son and heir-apparent of Sir Robert Lawdir of Bass, knight, Gilbert Waulchop, son and heir apparent of Archibald Waulchop of Nudry Marschell, Alexander Sidserf of that Ilk, Hugh Dunbar of Tofts, and William Rantoun, or any of them, to appear before George Dowglas, baron of the barony of Boncle, and son and heir apparent of Archibald, Earl of Angus, as his superior, and resign in his hands his three husband lands of Fastfurland, extending to six bovates of lands, with their pertinents in the town and territory of Fastfurland, barony of Boncle and shire of Berwick, in favour of David Rantone of Billy, and Elizabeth Lawder, his spouse, who are to be infest therein; dated at Edinburgh, 27th January, 1507-8; witnesses, Alexander Cockburn, son and heir apparent of the granter, George Cockburn, his brother, Edward Lamb, Alexander Mowbray, Alexander Young, John Gray, and James Young, notaries. The seal of the granter is appended but is almost illegible.

389. Charter by the said George Dowglace to the said David Rantone of Billy and his said spouse, of the lands above-named, resigned in terms of the said procuratory, to be held of the granter in fee and heritage for payment of the customary duties and services; dated at the granter's mansion of Bonkill, 6th April, 1508; witnesses, John Zettame of that Ilk, Robert Trumbill, George Smale, John Carryk, and Sir Henry Lauson, chaplain and notary. The granter's seal is appended. At the same time George Dowglace grants an Obligation to "ane honorabill sqwyar, David Rantone of Billy" and his spouse and their heirs, in which he refers to this grant and resignation made in their favour of these lands to be held in the same manner as the said Alexander Cockburn held them, and promises that whenever Renton or his heirs produces to him or his heirs, being barons of Bonkhill, proof "be antient chartur or evidentis," that the said Alexander Cockburn and his predecessors held these lands of Fastfurland in free blench, they will infest them therein on that holding within eight days of the production of such proofs. Attested as the charter and signed, GEORGE, MAST of ANGUS.

390. Charter by George Douglass, Lord of the barony of Bonkyle, and son and apparent heir of Archibald, Earl of Angus, Lord Douglass, to David Rayntone, son and apparent heir of David Rayntone of Bylle, and Jonet Stewart, his spouse, and the

survivor of them in conjunct fee, and to the lawful heirs of their bodies, whom failing, in succession to Archibald, Alexander and George Raintoune, brothers of the said David, younger, and the lawful heirs of their bodies, whom all failing, to the said David, senior, and his heirs whomsoever of the lands of Bylle with their pertinents, lying in the barony of Bonkile and sheriffdom of Berwick, and which the said David, senior, resigned in the hands of the granter at Edinburgh for the purpose of this regrant; to be held of the granter and his heirs as barons of Bonkle in fee and heritage for payment of the customary services. Dated and sealed at Edinburgh in the Collegiate Church of St. Giles, 27th April, 1510; witnesses, George Douglas, the granter's son, Sir John Geddes, chaplain, and others. Signed, GEORGE MAST of ANGUS. His seal is still appended. Following upon the foresaid charter is a precept of Sasine, undated, but signed and sealed as the charter; and two Instruments of Sasine dated 4th May 1510 under the subscription of Alexander Romanos, priest of St. Andrew's diocese, notary.

391. Instrument of resignation made on 24th April 1511, by David Rantoun of Billie, in the hands of George Dowglas, baron of Bonkill, son and heir apparent of Archibald, Earl of Angus, Lord Douglas, of the lands and mill of Billie and six bovates of the lands of Fostirland, extending to three husband lands in the town and territory of Fostirland; which lands the said lord superior thereupon gave to David Rentoun, son and heir apparent of the said David Rantoun of Billie, and Janet Stewart, his spouse, in joint fee, and to the lawful heirs to be procreated between them, whom failing, to the lawful and nearest heirs of the said David, younger. This was done at the Manor of Bonkill about 2 p.m.; witnesses, Mr. Gavin Douglas, provost of Edinburgh, brother german of the said superior, William Ranton, senior, and others. Alexander Romannos, priest of St. Andrew's diocese, is notary. A precept of Sasine followed, dated 1 May 1511, and thereupon infetment was taken on 8th May 1511. All these deeds are indorsed as having been produced on 10th November 1563, before Mr. Archibald Dowglas and William Dowglas, bailies of the regality of Boncle, and the indorsement is signed J. MILLAR.

392. Papal Dispensation for the marriage of David Rentoun, son and apparent heir of David Rentoun of Billy, of the diocese of St. Andrews, and Janet Hume of the same diocese, as the one is related in the second and the other in the fourth degrees of consanguinity, granted by Gavin Douglas, provost of the Collegiate Church of St. Giles of Edinburgh, and judge and commissioner in that part of the Apostolic See, a licence to him for granting dispensations to ten men and as many women, dated at St. Peter's at Rome, 30th July 1510, being inserted at length. The dispensation is dated at the Church of St. Giles, Edinburgh, 14th May 1513; witnesses, Sir George, Master of Angus, Alexander Borthuic, burgess of Edinburgh, and Mathew Geddas,

John Geddas, William Broun, and John Lauder *alias* Young, notaries; Adam Hoppar, clerk of the diocese of St. Andrews, and Matthew Dowall, priest in Edinburgh, attesting the dispensation as notaries.

393. Notarial Instrument narrating that at the manor place of Cumleg on 18th October 1536, in terms of an agreement between the following parties, David Rentoun of Billie, husband of Janet Hume, lady of the conjunct fee of the lands, mill and woods of Cumleg with their pertinents, renounced all his interest and claim to the lands, mains, tower and woods of Cumleg, with exception of the mill and some other pertinents, in favour of Patrick Slycht, son to the said Janet, who in return, for himself and his heirs, discharges to the said David all action and claim he had against him for intromission with these, and for cutting and destroying the said woods, prior to the date of these presents; witnesses, Gilbert Purves, Menlaus Vrycht, William Vrycht, John Ripperth, John Zallaleis, John Myllar, George Synclair and James Lausone; Archibald Rantone, M.A., clerk of St. Andrews diocese, being notary.

394. Precept of *Clare Constat* by Archibald, Earl of Angus, Lord Douglas and Abirnethie, and of the regality of Boncle, with consent of James, Earl of Morton, his tutor, in favour of John Rentoun, now of Billie, as heir of David Rentoun of Billie, his father, who died last seased in the lands and mill of Billie. He is of lawful age. Dated at Edinburgh, 15th February, 1567; witnesses, Mr. Archibald Douglas, rector of Douglas, Alexander Jerdane, and George Auchinlek. Signed, ARCHIBALDUS, ANGUSLE COMES, and MORTOUN.

The seal of the Earl of Angus is appended.

395. Instrument of Sasine following upon the above precept, dated 26th February 1567, the witnesses being David Trumbill in Prestone, John Yallowleis, Richard Wrycht, Peter McCane, Robert Ellem and William Paterson, servants of the said John Rentoun of Billie, and John Angus, heir apparent of Patrick Angus of Hoprig. John Flint, priest of St. Andrew's diocese, is notary.

396. Extract on parchment dated at Edinburgh 3d October 1580, when it was registered by Alexander King, of a Contract of Marriage, dated at Pencaitland, 29th September 1580, between John Rentoun of Billie, with consent of David Rentoun, his eldest son and heir apparent, who also is cautioner for and with him herein, and Alesoun Hereot, widow of William Hoppringle of Torwodlie, with consent of James Hereot of Trabroun, younger. They are to marry before the 31st October next, and meanwhile John Renton is to infeft his future spouse in liferent in the lands of Easter Pencaitland in the constabulary of Hadington. Among the conditions of the contract are as follows,—that the said Alison or her servants are to be supplied during her lifetime with eight horse loads of coals weekly and without any payment therefor; that John Renton by the advice of the said Alison and

James Heriot shall invest 1,600 marks yearly for four years in succession, at no less interest than ten marks in the hundred, this sum of 6,400 marks to be in security to her and their children; that he will confirm himself executor to Jean Cockburn, his last wife and give to the said Alison and her heirs a full discharge by the children and executors of the said Jean Cockburn, and also by those of Katherine Lawsoun, his "first spousit wyfe"; and further, he promises to nourish, educate and bring up William, James, David, Bessie and Janet Hoppringle, lawful children of the said deceased William Hoppringle and the said Alison, "in burde, bed, cloathing and at the scoles and otherwyse als honestlie and liberallie as the said Johnne Rentoun dois ony of his awin bairnes." The witnesses are Mr. Robert Fawsyde, apparent of that Ilk, James Brounfeild in Fairnyrig, John Rentoun, second son of the said Laird of Billie, Mr. William Scott and Robert Williamson, servitors to Mr. Robert Scott, Director of Chancery, John Broun in Hoprig, and Andrew Wode, notary.

397. Charter by John Rentoun of Bille to John Rentoun, his lawful son, and his heirs and assignees, of three husband lands with the kiln and barn and their other pertinents, in the town and territory of Fastfurdeland, in the barony of Bonkill and shire of Berwick; to be held of the granter in fee and heritage for payment of 1*l*. yearly, if asked; dated at Billie, 4th November 1583; witnesses, David and James Ferrye, brothers german, Mathew Belsches in Langtoun and George Craig, notary.

398. Charter of Confirmation of the preceding charter by David Rentoun of Billie, son and heir of the deceased John Rentoun of Billie, in which he states that he has seen a Bond by his said father to John, his second lawful son, and brother german of the granter, dated at Billie, 31st March 1587, and registered in the Books of Council and Session on 17th January 1591-2, against himself; wherefore he now sells and absolutely disposes to his said brother the lands and others in the charters above mentioned "in Fosterland," to be held of the said David, in fee and heritage for payment of 53*s*. 4*d*. yearly; dated at Billie, 20th November 1594; witnesses, Thomas Angus of Hoprig, Gilbert Thomson, servant to the granter, and George Thomson, notary in Duns. A note on the Charter states that it was rewritten on 20th November, 1598, in presence of the above witnesses and George Foulter, burgess of Edinburgh. It is signed by DAVID RANTOUN off BILLIE and also by MARGRAETT COLLACE.

399. Retour of the special service of David Rentoun, now of Billie, as heir of John Rentoun of Billie, his father, who died last seased in the lands, mill and tower of Billie, with the pertinents in the barony of Bonkle and shire of Berwick. They are valued at £20 Scots annually and in time of peace £10, and are held in feu of William, Earl of Angus, for payment of a rose yearly at the feast of St. James the Apostle, on the ground of the lands of Billie, if asked, with eight shillings sterling of castleward, and the customary suits of court. The said John Rentoun

died in 1587, and his said son is of lawful age. The inquest was held at Langtoun before Adam Cokburne, brother german of Patrick Cokburne, Tutor of Langtoun, sheriff depute of Berwick, on 12th May, 1590, the jury being William Lawder of Edrington; Alexander Ramsay, rector of Foulden; David Lumsden in Mordingtoun, George Home of Crammeeruiik, Patrick Home of Bromehouse, Richard Spens in Chirnside, John Home there, James Brounfeild of Pittilseuch, James Brounfeild of Farnerig, Thomas Angus of Hoprig, Patrick Chirnesyde of East Nisbit, George Craw in Peilwallis, William Craw in Lonwod, Alexander Brounfeild in Eistfeild, and William Paxtoun in West Restoun. [This service was afterwards reduced at the instance of the Earl of Angus.]

400. Discharge by Matthew Liddall "minister of Christ his Evangell," to John Renton of Billie for 34s. as four terms "mail" for the Nunmedow of Billie pertaining to St. Bothans, viz. for the years 1607 and 1608; dated at St. Bothans, 7th May 1608; witnesses, Alexander Henderson, George Leddall and others there. Signed MATTHEW LIDDALL, minister at St. Bothans, with my hand.

401. Charter by King James the Sixth to John Renton of Billie, and his heirs and assignees, of that meadow called the Nunmeadow and the lands called the Nunbutts, lying in the town of Auchinceraw, in the barony of Coldingham, and also the lands called the Nunflatt, lying within the Mains of Billie in the barony of Boncle; which formerly belonged to the Prioress of St. Bothans as part of the patrimony and property of that priory, but are now in the King's hand by virtue of the Act of Annexation; to be held feu of the Crown for payment of the old rental of 17s. and 12d. of augmentation; dated at Edinburgh, 19th December 1608. Sasine was taken hereon upon 6th January 1609.

402. Precept of Sasine by William, Earl of Angus, proceeding upon a Retour of the special service of John Rentoun, now of Billie, as heir to his father, David Rentoun of Billie, in the lands of Billie, with the tower, mill and pertinents thereof, exped in the court-house of Dunse before George Auchinlek of Cumledge, sheriff depute of Berwick, for infetting the said John Rentoun in these lands. Dated at Edinburgh 24th May 1606 (? 1616); and signed GULIELMUS AUGUSTÆ COMES. The Earl's seal is appended and bears the date 1600.

403. Retour of the general service of John Rentoun of Billie as heir of his father, David Rentoun of Billie, exped in the Court house of Duns on 24th August 1615 before George Auchinlek of Cumledge, sheriff depute of Berwick, and the following jury of inquest:—William Cokburne of that ilk, Mr. David Home, Tutor of Nynewellis, Patrick Home of Bromehous, Archibald Carmichael of Ednem, George Trotter of Prentone, William Ramsay of Nunlands, Robert Laudre of Edrington, James Home of Chirnside Mains, James Ramsay of Foulden Bastell, Robert Trotter of Rowchester, Alexander Brown in Berryoill, Nicolas Paxtoun of West Restoun, William Wardlaw there, James Angus of Hoprig, and David Paxtoun in Restoun.

404. Extract Contract of Marriage dated at Edinburgh 4th November 1615, between Mr. John Renton of Billie, son of the deceased David Renton of Billie, and Margaret Arnot, lawful daughter of William Arnot of Colbrandispeth. The lady is to be infett in liferent in the ten husband lands of Billie and others, and brings a tocher of 10,000 merks. The lands named being mortgaged necessitates further obligations, and brings other parties into the contract, viz. James Renton, lawful son to the deceased John Renton of Billie, John Renton of the Scheillis, Robert Renton his lawful son, and George Carnbie, merchant burgess of Edinburgh; while James Arnot, elder, bailie and burgess of Edinburgh, and John Arnott, his own son and heir apparent, are cautioners for the said William Arnot. From another document it appears that Jean Renton, lawful daughter of the deceased John Renton of Billie, in or about 1622, married William Arnott, lawful son of William Arnott of Colbrandispeth.

405. Decreet of Apprising dated at Edinburgh, 18th September 1621, at the instance of Agnes Rentoun, one of the two lawful children of the deceased John Rentoun of Billie, and the deceased Alison Heriot, his spouse, and one of the eight executors confirmed to the said Alison Heriot her mother, and James Pringle, fiar of Buckholme, husband of the said Agnes, and also assignee of James Rentoun, the other of the two lawful children aforesaid, against John Rentoun, now of Billie, as son and heir of the deceased David Rentoun of Billie. This David was eldest son and heir of the said deceased John Rentoun of Billie, and when his father was about to marry Alison Heriot, he became cautioner for him in their Contract of Marriage (which is dated at Pencaitland, 29th September 1580, and recorded in the Books of Council and Session on 3rd October thereafter) for the sum of 6,400 marks, in which contract he was a consenting party for his father as the deceased James Heriot of Trabroun was for the said Alison Heriot. The marriage afterwards took place. The lands now appraised for this debt are the ten husband lands of Billie, mill, mill lands and manor place thereof, and the lands called the Nunbutts, Nunmeadow and Nunflat, lying among the said lands of Billie, all in the barony and regality of Bonkill; the five husband lands of the kirklands of Dunglas belonging to the prebendary of Barnsyde, the land called Braidaiker, other three husband lands, with other six husband lands and two cotlands, all in the town and territory of Anchinceraw and barony of Coldingham; three and a half husband lands in the territory of West Restoun; also the lands of Lamertoun, Scheils, mill and mill lands of Crawisland, Ross, Hungriehous and Abchester, called the barony of Lamertoun, also within the said barony of Coldingham, and all pertaining heritably to the said John Rentoun of Billie. This Apprising was disposed by the said James Pringle and his wife on 22nd August 1622, to her said brother, now designed James Rentoun of Billie,

406. Contract dated at Edinburgh, 22nd June 1622, between John Rentoun of Billie, Margaret Arnott, his wife, William Arnott (third lawful son of William Arnott of Colbrandispeth), and Jean Rentoun, his wife, and others, on the one part, and James Rentoun, lawful son of the deceased John Rentoun of Billie and father's brother of the aforesaid John Rentoun of Billie, on the other part, whereby the said John makes over his estates of Billie with all debts and burdens thereon, to his said uncle. Mention is made among the creditors upon the estate of John Rentoun of Scheills, also father's brother of the said John Rentoun; and mention is also made of John and James Arnott, the eldest and second sons of the said William Arnott of Colbrandispeth.

407. Precept of *Clare Constat* by William, Earl of Morton, Lord Dalkeith, and William Douglas of Drumlanrig, as commissioners of William, Earl of Angus, Lord Douglas and Abirnethie, etc., with consent of George, Earl of Winton, Lord Seton; Alexander, Earl of Linlithgow, Lord Livingstone, and Callendar; Sir William Oliphant of Newton, knight, his Majesty's Advocate; Sir Archibald Douglas of Whittinghame, knight; James Douglas, brother german of the said William, Earl of Angus; and Sir George Auchinlek of Balmanno, knight, also commissioners, any two of whom have power to receive and enter vassals, etc., in terms of their commission which is dated 11th November 1623, for giving sasine to John Renton, now of Billie, as heir to the deceased John Renton of Billie, his grandfather, in the lands of Billie, with pertinents. He is of lawful age, and the lands are held for service of ward, relief and marriage. The precept is directed to David Paxtoun, portioner of West Reston, as bailie, and is dated at Edinburgh, 29th July and 16th August 1625; witnesses, Sir George Hamiltoun of Blaikburne, knight; Mr. George Butler of Blance, and others. It is signed by MORTON, WINTOUN, JAMES DOUGLAS, W. DRUM-LANRIG, and the witnesses, and the seal of the Earl of Angus, bearing date 1617, is appended. Sasine followed on 17th January 1627, the witnesses being, James Roull, brother german of Robert Roull of Peilwall, Patrick Tarraill, carpenter in Billie, Patrick Myllar, miller at the mill of Billie, Robert Paxtoun in Auchincraw, and William Paxtoun there, his brother german; George Todrig, clerk of St. Andrews diocese, being notary.

408. Charter by James Renton of Billie to Lilius Oliphant, daughter of Sir James Oliphant, Baronet, one of the Senators of the College of Justice, his spouse, of the lands of Billie, in the regality of Boncle, and also of the lands of Nunmeadow, Nunbutts and Nunflatt, with their pertinents, in life rent, in terms of their Contract of Marriage; dated at Edinburgh, 9th September 1630; witnesses, James Pringill of Buckholme, John Gaittis, minister at Boncle, Mr. John Oliphant, portioner of Bruchton, and Mr. Laurence Oliphant, advocate, brothers of the said Sir James Oliphant, Mr. John Oliphant, sheriff clerk of Edinburgh, Mr. Robert Broun of Pitkeny, Patrick Oliphant,

writer in Edinburgh, and Mr. Robert Adamsone, brother of Adamsone of Craigeruik. There is a charter by William, Earl of Angus, confirming this charter, dated at the Cannagait, 31st March 1631; and Sasine was taken upon these on 7th May thereafter, by William Oliphant, brother and attorney of the said Lilius Oliphant, James Renton giving sasine *propriis manibus*.

409. Contract of Marriage, dated at Edinburgh, 9th December 1630, between James Renton, now of Billie, and Lilius Oliphant, eldest lawful daughter of Sir James Oliphant of Newton, senator of the College of Justice. He is to infest her in liferent and the male issue of their marriage in fee in the lands of Billie, Nunmeadow, Nunbutts, and Nunflatt. Her tocher is 8,000 merks. The witnesses are James Pringill of Buckcome, John Gaittis, minister at Bon , Mr. John Oliphant, portioner of Bruchtown, Mr. Lawrence Oliphant, advocate, brother of the said Sir James, Mr. John Oliphant, sheriff-clerk of Edinburgh, Mr. Robert Broun of Pitcanie, Mr. Robert Adamsone, brother of the Goodman of Craigerook, and Patrick Oliphant, writer in Edinburgh.

410. Discharge by J. Durhame, dated at Edinburgh, 18th January 1631, to James Renton, son of the deceased John Renton of Billie, for £19 16s., as the feu duty of the lands of Nunmeadow, Nunflatt and Nunbutts, since the date of his last charter thereof in 1608, which fixed the amount at 18s. yearly; which sum is to be forthcoming to his Majesty, or the baron of Coldingham, or the prioress of St. Bothans.

411. Contract dated 3rd April 1634 whereby John Renton, elder of Cockburnspathsheils, and John Renton, younger thereof, his son, and James Roull, brother-german of Robert Roule of Peilwallis, renounce all right they have in the ten husband lands of Billie, Auchincraw, West Reston, Nunbutts and others, in favour of James Renton of Billie, Lilius Oliphant, his spouse, and James Pringle, fiar of Buckholme, his brother in law, who make over to them the barony of Lamberton. Mention is made of the contract of marriage of John Renton of Billie and Margaret Arnot, dated 4th November 1615, and of the deceased Robert Renton, lawful son of John Renton of Sheils.

412. Testament testamentar of James Rentoun of Billie, within the parish of Boncle and diocese of Dunkeld, who died in 1637, given up partly by himself at Edinburgh on 16th February, 1637, in presence of James Guthrie, W.S., and Mr. John Pilmoir, servitor to the said James Guthrie, and partly by Lilius Oliphant, his widow, James Pringle of Buckholme, Mr. Lawrence Oliphant, advocate, Robert Ridpethe of Elwoodlaw, and Mr. Thomas Rentoun, his eldest lawful son, being some of the tutors nominated by the defunct to his children, James, Anna and Lilius Renton. His estate, consisting of horses, cattle, grain, household plenishing and debts due to him, was valued at £4,619 8s. 4d. Scots, but his own indebtedness amounted to

£13,035 10s., among his creditors being John Rentoun, sometime of Billie, Mr. Cristell Knowes, minister at Coldingham, John Gaitis, minister at Boncle, and Mr. John Paterson, parson of Auldhamstocks. His latter will states that he was sick and diseased in body, but sound in memory and senses. He recommends his three children named to the persons above-mentioned, and appoints his heir to pay to his said sisters as follows, 4,000 merks to the eldest and 3,000 merks to the youngest. Confirmed at Edinburgh, 29th November 1637.

413. Contract of Marriage, dated 27th March and 7th April 1657, of James Renton, now of Billie, with consent of Lilius Oliphant, his mother, and Jean Home, eldest lawful daughter of John Home of Manderstoun, with consent of her said father. She has a tocher of 9,000 merks, and is to be infeft in liferent in James Renton's husband lands in Auchincraw, the Killands, the lands of the Kirklands of Dunglas, some parts of Billie, Nunmeadow, Nunbutts and Nunflat, and after his mother's death in Billie. Among the witnesses are John Home of Blackadder, Sir Alexander Home of Halyburton, Mr. John Belshes of Tofts, William Cockburn of that Ilk, John Home of Nynewells, John Ker of West Nisbet, Mr. George Oliphant of Newton, and William Home of Linthill.

4. BLACKHILL.

414. Contract of Marriage, dated at Tranent 8th July 1614 between Alexander Home of Blackhill and Margaret, daughter of John Poole, merchant burgess of Edinburgh. He is to infeft her in liferent in his tenement of land in Eyemouth presently occupied by Marion Kerre, his mother, and also in an annuity from his seven husband lands there, while she brings to him a tocher of 3,000 merks. Among the witnesses are Mr. Robert Balcanquhall, minister, Robert Seatoun, bailie in Tranent, and Robert Craw in East Reston.

415. Contract of wadset dated at Fogo 7th September 1657, by which James, Earl of Home, disposes to William Home of Linthill (who has paid him £500), and his heirs and assignees, the valued teind bolls of the three and a half husband lands in Swynewood extending to (besides one boll barley and one boll oats, "old measure," payable out of the said lands to the Minister of Coldingham for furnishing Communion elements, which burden the disponent herewith accepts) 3 bolls, 15 pecks oats and 1 boll, 7 pecks barley "Lithgow measure," with 52s. 6d. as the feu duty paid by these lands; also the parsonage teinds of a half husband land in Eyemouth and 10s. as the feu duty thereof; and also the parsonage teinds, "if any be" of £40 yearly payable to the granter from the six (*sic*) lands of Blackhill, belonging now heritably to the said William Home within the parish of Coldingham and Eymouth, all redeemable for payment of £700 Scots. Witnesses, John Ellem and John Home, servants of the Earl of Home, who all sign; the document being written by Andrew Trotter, schoolmaster at Whitsum.

416. Agreement between William Home of Linthill and Alexander Home of Blackhill under the arbitration of Robert Ker of Crelinghall, concluded at Dunse, 4th January 1659, in reference to the lands of Blackhill and certain lands in Eyemouth appraised from the said Alexander Home by Alexander Home, son to the deceased William Home of Swinewood, in 1653, and to which Linthill has right by assignation. Among other things Alexander Home had been cautioner in a bond for £3,500 for the deceased Alexander Home of Plandergaist, and the design of the agreement is to provide a way by which he may recover his lands. Witnesses, Robert Ker of Crelinhall, George Home, son of the said Alexander Home of Blackhill, and James Wallace, notary in Dunse.

417. Contract of Marriage dated at Halthrie, 24th July, 1668, between John Home of Blackhills and Janet Pringle, eldest lawful daughter of James Pringle of Haltree. Her tocher is £1,000, for payment of which George Pringle, fiar of Halthrie, eldest son of the said James, is cautioner; and she is to be infeft in an annuity of 400 merks secured over the lands of Blackhills (occupied and possessed of old by Peter Home in Blackhills and his son and their tenants, and sometime by the deceased Marion Ker, widow of Robert Home), and some houses with yard, maltbarn and kiln at the east end of the burgh of barony of Eymouth, under reservation of the liferent of Blackhills to Margaret Puill, widow of Home of Blackhills, and that of the Eymouth subjects to Home, widow of ; witnesses, Alexander Pringle of Brahmes, William Pringle in Newbottell and others.

418. Retour of the special service of William Home of Blackhills as heir of John Home of Blackhills, his brother german, who died in May 1672, in the lands of Blackhills, with pertinents, which were formerly occupied by Patrick Home of Blackhills and his son and tenants, and Mariota Ker, widow of Robert Home, in the parish and barony of Coldingham; exped in the sheriff court of Berwick held in the tolbooth of Duns, on 19th August 1678, before David Home of Newton, as sheriff depute, by the following jury:—George Bell, feufarmer in Duns, John Kemp, Robert Listoun, messenger, George Marshall, Alexander Trotter, Thomas Fairlie, John Airtheor, James Bowie, William Fairlie, George Purves, Charles Geddes, Patrick Wright, William Home, John Moscrop and Thomas Whillas, all in Duns.

419. Retour of the general service of Marjory Home, lawful daughter of Alexander Home, brother german of William Home of Linthill, as heir general and of provision to her brother, Alexander Home, in terms of a bond granted by the said William Home of Linthill in favour of the said Alexander and Marjory, dated 26th November 1726. She is of lawful age. Exped in the tolbooth of the Canongate before John Balfour, bailie there, on 11th January 1739. In connection with this service there is a disposition by the said Marjory with consent of her eldest brother, John Home, writer in Edinburgh, and Anna Home, her eldest

sister, to Ninian Home of Billie of all her interest in the lands belonging to her said uncle, William Home of Linthill, viz., the seven husband lands of Linthill formerly belonging to Alexander Home of Blackhill, the four husband lands in Eyemouth commonly called Gray's lands, and the miln of Linthill commonly called Eyemouth Mill, with thirlage and pertinents thereof, which having, for the satisfaction of his creditors, been sold by public roup, were purchased by the said Ninian Home. The disposition is dated 26th and 29th December 1738.

5. COLDINGHAM.

420. Feu Charter by John, Commendator of Coldingham, to Arthur Sleich, son of the deceased John Sleich in Prettishauch, of four husband lands and two cottage lands of the lands of Coldingham, occupied by Patrick King, David Arth, Alexander Congilton, and the deceased John Sleich, to be held of the granter for the yearly payment of 13s. 4d., with 10d. of castle ward, and three capons and a poult, for each of the husband lands, and 2s. 5d. and a hen, etc., for each of the cottage lands; with augmentation of 10s. 8d. and duplication at the entry of heirs. One sasine taken at the dwelling of the said Patrick King is to suffice for all. Dated at Dunbritane, 27th July 1548; signed, JOANNES CÔMĒDATARI^{US} de COLDINGHAM; ADAM RANSEMĀ, subprior de Coldingham; WLL^{US} LERMOCHT, JOANNES LWN, JOANNES MAISTERTOUN. Part of the seal still remains.

421. Precept of Sasine by John, Commendator of Coldingham, for infesting James Lumisdeane, son of Patrick Lumisdeane of Blanerne, and his heirs and assignees in the four husband and two cottage lands in Coldingham, which Arthur Sleich had resigned; signed by the Commendator, but the date, except the year 1550, is not filled in. There is also a later precept for his infestment, dated at the Monastery of Coldingham on 12th September 1557, in which it is stated that James Lumsden had apprised these lands from Arthur Sleigh for a debt of £160. This is signed by the Commendator, and by William Hud, subprior, William Lermocht, George Pylmuir, John Lun, George Achisone, and Bertholomeus Scott.

422. Papal letters by John, Archbishop of St. Andrews and Primate of Scotland, delegating to the Precentor of the Church of Glasgow, and the Provosts of the Collegiate Churches of Corstorphine and Roslin, to take the necessary steps for the confirmation of the Charter by John, Commendator of Coldingham, and his convent, to Arthur Sleich (No. 420 *supra*) for which application has been made to the See of Rome. A letter from Pope Paul the Second is dated at St. Peter's at Rome the 5th of the Ides of May (11th May) in the first year of his pontificate, 1465; and the Archbishop's missive is dated at Edinburgh the 17th of the Calends of November (16th October) in the 5th year of Pope Julius the third, 1554, in which he states that Arthur Sleich has paid certain other sums towards the reparation of the monastery

of Coldingham which had been destroyed and burned by the English, and is satisfied that the transaction is for the utility of the said monastery.

423. Instrument of Sasine, dated 24th February 1561, in favour of Gavin Hume, in two husband lands and three cottages of land with a grass land and a house, near the house formerly belonging to David Dicksone in the town and territory of Coldingham; proceeding upon a Charter by John Stewart, Commendator of Coldingham, dated at Coldingham, 4th March 1557. Sir James Young, priest of the diocese of Brechin, is notary. There is also a Crown Charter by King James the Sixth, dated at Holyrood, 14th January, 1584-5, confirming the charter above referred to.

424. Charter by Cuthbert Ritchesoun in Coldingham selling to William Dunlap, lawful son of John Dunlap in Farnesyde, and his heirs and assignees for £240, his two acres of arable land, of which the one lies in the Mylneside in Coldingham, bounded by the lands of John Melving on the east, those of the Laird of Wedderburn on the west, those of the Laird of Coldinghame Law on the south, and the common stream on the north; and the other in the Lawend, having the Lawburn on the east, the lands of George Lychtharnes on the west, the highway on the south, and the lands of the Laird of Coldinghamlaw on the north; to be held of the granter blench; dated at Coldinghame, 13th July 1588; witnesses, George Velshe in Coldinghame, James Cartour there, and David Craig, younger. The granter signs by aid of David Craig, notary. Sasine was taken on the following day, given by the granter in person with consent of Christian Gray, his spouse, to John Dunlap as attorney for his son. There is a Charter by Robert Logan of Restalrig dated at Fastcastle, 8th June 1595, of the same subjects to the said John Dunlap in liferent and his son William, in fee, to be held for payment of the yearly feuduty of 24*d.* and two hens.

425. Charter by John Home in Coldingham to John Home, lawful son of William Home of Aytoun, of two husband lands in Ricklesyde lying near the house of David Dickson; dated at Coldingham, 18th May 1590; witnesses, David Home, minister at Coldingham, Mr. Alexander Watson, schoolmaster there, Alexander Home in Coldingham, Robert Home, his uncle, and Ninian Broun in Eymouth.

426. Letters of Reversion by David Home, lawful son of the deceased John Home, portioner of the Newtoun of Quhitsum, narrating that his loving cousin, Sir George Home of Wedderburn, had leased to him for life and to his heirs for nineteen years after his death, the two husband lands in Coldingham sometime occupied by Hercules King, and promising to resign them again to him on receiving payment of a rose noble of gold in the parish church of Dunse; dated at Wedderburn, 23 November 1597; witnesses, John, James and Alexander Home, brothers of the said David, and John Horne in Eymouth.

427. Instrument of Sasine, dated 25th November 1600, in favour of James Auchincraw, son of James Auchincraw in Swynewode, in the two husband lands, one grass land and four cottages of land in the town and territory of Coldingham which formerly belonged to the deceased John Home in Burne of Coldingham, who disposed them to John Home, brother of Patrick Home, apparent of Aytoun, and he again to the said Patrick, who has now disposed them to the said James Auchincraw. Two acres and a cottage of the said lands occupied by Janet Hopper, widow of David Home, minister, are excepted out of the above lands. The Sasine proceeds upon a Charter and precept of Sasine dated at the town of Aytoun, 24th November 1600, among the witnesses to which were George Auchinlek of Cumledge, George Home, steward (dispensatore), John Horne in Eyemouth, and John Angus, servant of the granter. Infestment is given by George Home in Eyemouth as bailie, and the witnesses are Mungo Mitchalsone *alias* Wobster in Coldingham, Patrick Auchincraw in Northfeild, Archibald Donaldson there, and Patrick Masoun, indweller in Eyemouth.

428. Contract of Excambion between Alexander Home of Rentoun and John Dunlop in Eymouth and William his son, as follows:—Alexander Home, having his dwelling place now in Coldingham, has two acres of land lying together in the field called Fordell between some others of his own lands on the south, and the lands called Lumsdens lands on the north within the territory of Eyemouth; and the Dunlops have two acres in the territory of Coldingham Law (as described in No. 424 *supra*), which are near Alexander Home's dwelling place, while his said two acres are nearer theirs. They therefore agree to exchange these, and promise each to secure the other in possession of their respective exchanges; dated at Eyemouth, 28th January 1605; witnesses, John Dunlop, younger, Andrew Gray in Eymouth, Richard Edgare, servitor of the said Alexander Home, George Orknay in Aytoun, Adam Wilkesoun in Eymouth, and George Sprott, notary.

429. Precept of *Clare constat* by Sir George Home of Wedderburn, in favour of David Lumsden, as son and heir of the deceased Patrick Lumsden, in a husband land of the lands of Coldingham in the place called Bogangreene; dated at Wedderburn, 5th March 1614; witnesses, David Home, brother german of Patrick Home of Coldingham Law, and David Nisbet in Wedderburn.

430. Renunciation by John Dewar, notary in Duncce, in favour of Sir George Home of Manderstoun, knight, and Sir Alexander Home, his eldest lawful son and apparent heir, of the lands of Beinrig, extending to four marks of land, with the corn mill and multures thereof possessed by John and James Johnstoun, in the barony of Coldingham, and which they had wadset to him. They have now paid the redemption price, viz. 2,800 marks. Dated at the Gunsgreen, 1st September 1620.

431. Rental of the lands and teinds of Coldingham as Alexander, Earl of Home, had them at the time of his death; dated at the Canongate, beside Edinburgh, 29th March 1621; and signed by M. HOME, J. HOME, and also by John Stewart, Prior of Coldinghame and "Hearie Stewartt," his brother, in token of their acceptance of the same.

432. Extract Contract, dated at the Cannogaitt beside Edinburgh 30th March 1621 (registered 23 July following), between James, Earl of Home, Lord Dunglas, son and heir of the deceased Alexander, Earl of Home, with consent of Dame Marie, Countess of Home, his mother and tutor testamentar, and Harie Stewart, lawful son of the deceased Francis, sometime Earl of Bothwell, as follows:—Narrating that the said Earl James had been served heir to his said father, Earl Alexander, in the place and manor of Coldingham, cloister, houses, biggings, yards, etc.; also in the lands of Coldingham, Hallbank, Fowlis and St. Abbs, Steill, Caponland, Sutturstan's Croft, the croft called Grievestyle, the lands of Hawcraft, Armstrong's Park and Beapark, Beinrig, Fleinis and Hallyden, Hilawes, Mawisbale and Mawisaicker, Colockhill, and Whytfeild Easter and Wester; the lands of Eymouth, Swynewood, Hilend, Hindwood, Howlan, and Lambdene, Rentoun, Auld Cambus, Easter Lumsdean, Auchincraw, Swansfeild and Scheillopdykes; the lands of West Reston and East Reston, Aytoun and Maynes of Aytoun, with the "poirts and havening places of Eymouth and Coldinghame"; also the lands of Paxtoun and Fishwick, with fishings upon the Water of Tweed; the lands and lordship of Swyntoun; also the lands of East Nisbett, comprehending East quarter, Brwmedykes, Craigfowalls, Quhytmyre, Wolquarter and Maynequarter of East Nisbett; and the lands of Edrame and Brumehous, with the pertinents thereof, all in the sherifffdom of Berwick; together with the teinds of the kirks of Coldingham, Aytoun, Fishwick, Swyntoun, Ederem, Ednem, Stitchill, Ersiltoun, Auld Cambmes, with the teinds of the lands of Edrington; and also narrating that in the erection of the barony of Coldingham granted by the King to Alexander, Earl of Home, the Maynes of Fastcastell or Wester Lumsdeane, Dowlaw, Medoholme *alias* Cauldsyde, Auldtoun, Newtoun, and others included, with the castle and manor place of Fastcastell and their pertinents, though all within the barony of Coldingham, were expressly reserved in favour of George, Earl of Dunbar, and his heirs; and that James Arnott of Wester Grantoun acquired these lands by disposition from the heirs of the said Earl of Dunbar, and sold them to the said Alexander, Earl of Home, and his said spouse, in liferent, and to the said James, Earl of Home, heritably: the contract states that the said James, Earl of Home, and his said mother now dispone the lands above-mentioned to the said Harry Stewart, who is to pay £3,600 Scots for them to the said Earl yearly, and a further sum of £48,000 Scots to the said Earl or the heirs male of his body, whom failing, to his sisters, Lady Margaret and Lady Anna Home. It is further agreed that the lands and teinds of Northfield, with the office of bailiary of the barony of Coldingham and

bailie fee of £20 yearly which the said Earl Alexander had obtained on the forfeiture of the said Francis, Earl of Bothwell, or through the disability of his eldest son, Francis Stewart, shall remain in property with the said Earl of Home. There are several other provisions, among them being the proportions to be paid to the ministers of the churches mentioned. By another deed of the same date John Stewart, Commendator of the Priory of Coldingham, ratifies this Disposition by James, Earl of Home, to his said brother, Harry Stewart.

433. Charter by Henry Stewart, lawful son of the deceased Francis, sometime Earl of Bothwell, and John Stewart of Coldingham, his brother, with consent of Francis Stewart, their elder brother, and of Alexander Cranstoun of Moreistoun, and William Douglas of Ivelie for himself and for William Douglas of Tofts for their interest, to James, Earl of Home, and the lawful heirs male of his body, whom failing, to revert to the granter's heirs and successors, of an annual rent of £3,600 upliftable from the lands and barony of Coldingham; in terms of contracts between them; dated at Edinburgh, 15th May 1623.

434. Decreet of Transference by the Lords of Council of an action by the deceased Alexander Home of Rentoun, and the deceased Janet Ellem, his mother, against the deceased William Home of Aytoun, Sir Patrick Home, now of Aytoun, knight, then designed fiar of Aytoun, and the deceased William Home, portioner of Swynewood, the deceased John Home, portioner of West Reston, the deceased George Craw, portioner of East Reston, the deceased David Rentoun of Billie, and the deceased Patrick Home of Law, the summons in which action runs in the name of King James and bears that the said Janet Ellem was liferenter of the lands of in the territory of Coldingham, six husband lands in Rentoun, four husband lands in West Reston, and three parts of a carcuat of land in Coldingham with the office of "fostership" of the whole lordship and barony of Coldingham and lands pertaining thereto, viz., one husband land and ten acres of land at Coldingham, with one husband land in Auldcammes, and all duties, fee-rights and privileges pertaining to the said office of fostership, viz.—"Man's meat and horse meat for himself and man quhan he sall happin to cum to the Pryoris house of Coldinghame, with the intromissioun and keeping of the wraik and waif within the lordship of Coldinghame, taking thair of to themselves tuell pennies of ilk pund of the said wraik and waif and of ilk laidnit schip or boit landing within the said lordschip with victuall, salt, collis or uther siclyk merchandice; gif beir beis brokin or ony saill maid thair of, ane boll of the said merchandice befor the maist and ane uther boll efter the maist; and of the anchorage and silver of ilk schip tuell pennies, and four pennies of ilk bot ankoraige silver, with ane thrave of aitis of everie husband land of the tenentis of the lordschip of Coldinghame, the husband lands of the toune of Coldinghame onlie exceptit; and ressaiveing always of ilk waine or cairtfull of wood four pennies, and of ilk horse draucht wood

ane pennie, and of ilk squairit aik trie drawin with oixin four pennies, and siclyk the wood hennis usit and wont, with ane gentilmanis clething at the feist of Yuill yerle." All the above the said Alexander Home of Renton's predecessors have enjoyed past memory of man, and he and his mother were pursuing for payment of these duties, and especially for "ane thrave of aitis of ilk husband land of the said lordship of Coldinghame." They claim also to have undoubted right to the said office of "fostership" within the whole woods of the said lordship, and especially within the bounds of Houndwood, viz., Lichtwood, Lemineanewood and Hallawod, lying within the said lordship, pertaining to William Home of Aytoun in liferent and to Patrick Home, fiar of Aytoun, his eldest son and apparent heir; and the wood of Hilend, called Hilendwood pertaining to Patrick Home of the Law. Now the said William Home of Aytoun has in the year 1580 and every year since down to 1601 inclusive occupied the Mains of Aytoun extending to twelve husband lands, the lands of Aytoun extending to thirty-one husband lands, with the fourteen husband lands of Fairniesyde, all in the parish of Aytoun; as also six husband lands in Blakhall, six husband lands in Hundwood and seven husband lands in Heymouth, all in the lordship of Coldingham, and extending in all to seventy-six husband lands, for which he ought to pay 76 thraves of oats yearly; William Home, portioner of Swynewood, has during the said period occupied his lands of Swynewood extending to sixteen husband lands, the lands of Wester Quhytefield, extending to six husband lands, the lands of Rikelsyde extending to six husband lands, and six husband lands in Haymouth, all in the lordship of Coldingham, amounting in all to thirty-four husband lands, for which he ought to pay yearly thirty-four thraves; John Home, portioner of West Reston, has during the same period occupied the nine and a half husband lands of West Reston in the parish and lordship of Coldingham for which he should pay "nyne thraives and one stouk of aitis"; George Craw, portioner of East Reston, for the same period has occupied the seven husband lands of East Reston and four husband lands of West Reston, belonging to him in the said lordship, and should pay yearly for these eleven thraves of oats; David Renton of Billie has during these years occupied the forty husband lands of Lambertoun in the parish of Lambertoun, twenty husband lands in Auchincraw, four husband lands in West Reston and four husband lands in Rentoun within the lordship of Coldingham, and ought to pay for these sixty-eight thraves of oats yearly; and Patrick Home has during the said years occupied the sixteen husband lands of Law, the six husband lands of Halydoun, and the six husband lands of Helend, and so ought to pay twenty-eight thraves of oats yearly; in respect whereof summons was granted against these persons to compare at Edinburgh on 10th January next (the summons bears date 8th December 1601), and Laurence Oliphant, Lawrence Scot and John Bartane, indwellers in Edinburgh, are cited as witnesses. The action is now wakened and transferred (19th February 1629) to the persons of John Home of Renton, as lawful son of the said Alexander Home of

Renton and executor confirmed to him and the said Janet Ellem, and to Sir Patrick Home of Aytoun, knight, William Home in East Reston, Patrick Home, portioner of West Reston, Robert Craw, portioner of East Reston, John Renton of Billie, and Patrick Home of Law, as sons and heirs of their said deceased fathers, defenders in the former case, and as such summons is now granted against them. As a sequel to this procedure there are Discharges by John Hoome of Rentoun, as heritably infeft in "the office of Forrestrie and keeping of all woods, parks, and shawes in the lordship of Coldinghame, with the casualtie and dewtie of ane thrave oats yearlie of ilk husband land of all lands of the said lordship," with other duties contained in his infeftment, (1) to James Rentone of Billie as infeft in the thirty-two husband lands of Lamertoune and fifteen husband lands in Adincraw (*sic*), by which the said John Home, being most willing that the said James Rentone and his heirs and successors should be relieved of this yearly duty for all years bygone and to come, discharges them thereof for the past and in time coming; dated at Edinburgh 13th February 1632; and (2) to Patrick Home of West Reston, in similar terms, in respect of his eight husband lands in West Reston called the Maynes of West Reston and the one and a half husband lands acquired by him there; dated at Edinburgh, 24th February 1632.

435. Charter by Sir Patrick Home of Aittoun, knight, to Anna Home, his eldest lawful daughter by his deceased wife, Lady Elizabeth Edmondstoun, of an annual rent of 1,000 merks upliftable from the lands acquired by him from the deceased David Lumsdane in Rickilsyde, the two husband lands and their cottages which formerly belonged to Gavin Home in Coldingham, the six husband lands acquired by him and his said deceased wife from William Home, eldest lawful son of the deceased William Home of Swynewood, and other two husband lands in Coldingham, to be held of the granter in blench farm, he being due his daughter the sum of 10,000 merks; dated at the manor place of Aittoun 10th October 1629; witnesses, Alexander Home, apparent of Barnesyde, James Home, the granter's son, and others. There are two instruments of Sasine following hereon, one dated 12th October 1629, and the other 30th March 1630.

436. Copy petition to King Charles the First by the vassals of the Abbacy of Coldingham, dated 4th April, 1636. It sets forth their appreciation of the change which had been brought about in their condition by the fourteenth Act of his Majesty's first Parliament in Scotland, whereby the superiority of all lands formerly held of churchmen were declared to pertain to the Crown, so that they had become the immediate vassals and tenants of his Majesty and "with other vassals of abbacies have been liberat from the insupportable vexation of actiones of improbation, reduction, spoliation, wrongous intromission and others of that kinde, whiche they had long indured under the lords of erection, so in regarde of the happy change of their condition, to enjoye your sacred Majestie for their superiour, they

have willingly undergone the great trouble and charges of passing and expediting through your highnesse seales new rightes and infetments of their lands to be holden in all time coming of your gracious Majestie and your successours by virtue of the said act." They have been informed, however, that John Stewart, in whose favour the abbacy of Coldingham had been erected into a temporal lordship, or Francis Stewart, his son, were labouring to purchase from his Majesty a grant or wadset of the said abbacy, and this, they plead, would, if granted, not only thwart the general design intended by the Act, and be an evil precedent to other lords of erections, but also undo the petitioners by rendering useless all the expense they had been at in renewing their titles, which would again have to be renewed, "and deprive them of the honour and happinesse to be your Majesties immediate vassals, whiche they value æqually with their lives and fortunes." They therefore "upon the knees of their hartes most humbly begge" the King not to listen to any such suggestions, but "in your royall and fatherly care of all your loving subjects and in commiseration of the more then Ægyptian bondage your petitioners with other vassals of abbacies have long suffered under the lords of erections," protect them "from that tyranny and oppression under the wings of your royall goodnesse," for to him "alone their service and dependency, as well as their hearts and handes, are by nature, loyalty and allegiance due." And they crave to be heard to object against any such grant.

437. Instrument of Resignation, dated 28th January 1648, in the hands of the lords of Exchequer by Mr. John Henryson, macer, in terms of a procuratory contained in a Disposition by John Renton of Lamberton to Alexander Home of Prendergaist, dated 19th March 1647, of the four husband lands and two cot lands in Coldingham acquired by Sir Patrick Home of Aytoun from the deceased David Lumsdane in Rickilsyd (*see* No. 435 *supra*) and the other lands there mentioned; the resignation being made in favour of the said Alexander Home.

438. Another Instrument of Resignation made at the same time by the said macer as procurator for Alexander Home of Blakhill, son and heir of the deceased Robert Home of Fairniesyde, in terms of a Disposition by him, dated 12th July 1647, to the said Alexander Home of Prendergaist, of the mill of Coldingham called the Coilmyln, with the multures, suckin, mill dam and other pertinents, also of that piece of land called Coilburnebraes of Coildene, together with the Links of Coldinghame and right to the common muir of Coldinghame; all in favour of the said Alexander Home.

439. Precept by Oliver Cromwell directed to the Sheriff of Berwick to infett Alexander Home, eldest lawful son of John Home of Renton, in the lands and barony of Coldingham, comprehending the manor place, cloister, houses, biggings, yards, orchards, closses, and whole bounds, commodities, easements, etc., within the precinct thereof, with all their pertinents, with the town and lands of Coldingham and mansions, cottages, crofts,

mills, grass lands, parks, and other pertinents ; as also the lands of Halfbank, Northfield with the lochs and teinds, Fowles and Sanctabs, Steill, the lands called Capone land and Satosancroft, the croft called Gremerstyle, the lands called Howcroft, Armestrang's Park, and Beapark, the lands of Presse, Beanrigstours, Halydeane, Hielawes, Mawisbalk and Mawisaiker, the lands of Blackhill, Easter and Wester Whytfeild, the town and lands of Eymouth with the mills and other pertinents, the town and lands of Swynwode with the mills and other pertinents, the lands of Hilend with the woods, the lands of Hemwode, Howlaw, and Lambdeane, the lands of Rentoun with manor place, mills, etc., the town and lands of Auld Cambus with the mills, etc., the lands of Easter Lumisdene with the manor place, etc., the lands of Auchincraw, with the mills, etc., the lands of Swanisfeild and Shelhopedykes, and Easter and Wester Reston ; the lands of Aytoun, with tower, mills, mains and lands of Aytoun ; also the ports and havens of Eymouth and Coldingham, with all other ports and havens within the bounds of the lands above named, with the anchorages and duties thereof ; also the lands of Paxtoun and Fishwick with the fishings thereof upon the Water of Tweed ; the lands of East Nisbet comprehending the lands called East Quarter, Bromedykes, Craigiswallis, Whytmyre, Walquarter and Maynquarter of East Nisbet, with the tower, etc., and all pertinents of the aforesaid lands ; also the lands of Edram and manor place thereof, the lands of Broomehouse and manor place thereof, the lands of Horsley and Greinwood, the lands and mains of Fastcastell or Wester Lumisdeane, Dowlaw, Dinddeholme *alias* Cauldsyde, Auldtoun and Newtown, with the mills, fishings, castle and manor place of Fastcastle and all other pertinents thereof ; also the lands of Fleymingtoun called Nether Aytoun, Reidhall, Natherbyre, Brumisland, and Gunisgrein with the corn and walk mills thereof ; and the lands of Jannysyde and Lamertoun with mills thereof, and all other pertinents, all lying within the shire of Berwick, together with all crofts, acres, mills, woods, fishings, annual rents and others whatsoever which formerly pertained to the Priory of Coldinghame and temporality thereof, wherever the same lie in this nation ; with all castles, fishings, castlewards, duties, services of tenants and pertinents and privileges whatsoever ; also in all the teinds, emoluments and duties of all the kirks and parishes pertaining to the abbacy and priory of Coldingham, viz., the kirks of Coldingham and Aytoun, Fishweik, Edrem, Sticheil, Ersletoun, Auld Cambus, Ednem and Lambertoun, with the teinds of the lands of Edrington and their pertinents, and all other kirks and teinds pertaining to the abbacy and priory of Coldingham of old as spirituality and patrimony, whereof the Abbots and Commendators of Coldingham have been possessors, wherever the same lie in Scotland ; all which were erected into a free temporal barony called the barony of Coldingham by Charter under the great seal to the deceased John Stewart of Coldingham, second lawful son to the deceased Francis, sometime Earl of Bothwell, dated 16th October 1621. This John Stewart disposed these lands and barony foresaid on 16th June 1622 to the deceased

Francis Stewart, eldest son of the said Earl, and Mr. Harry Home, natural son of the said John Home of Renton had apprised them on 26th November 1656 from Robert Stewart, lawful son of the said deceased Francis Stewart (as being heir to his said father and also to Charles Stewart his brother), and also from Francis Stewart as grandson and charged to enter heir to the said John Stewart of Coldingham. Mr. Harry Home had assigned his right to the said Alexander Home, in whose favour this precept is granted; dated at Edinburgh, 10th August 1658.

440. Disposition by Dame Elizabeth Douglas, spouse of Sir Robert Sinclair of Longformacus, advocate, as oy (grandchild) and heir of progress to William Douglas of Yvelie, with consent of her said husband, to William, Lord Mordington, of all right she has, as heir foresaid, to the lands and barony of Coldingham (except the teinds of the lands of Kimmergham and Kello) and all lands which belonged to the priory and abbacy of Coldingham, with the Mains of Fastcastle or Wester Lumsden, Dowlaw and Duddoholme, and teinds of the kirks of Coldingham, Aytoun, Fishwick, Ersiltoun, Old Cambus, Awinton, Edsom, Stitchil, Lamberton and Ednam; dated at Edinburgh, 10th November 1665, Alexander Home of Linthill being among the witnesses. On the same date James, Earl of Home, grants a disposition of the same subjects to the same person; dated at Hershell; witnesses, Alexander Home of Linthill, Alexander Home of Aytone and Colonel James Hay.

6. EYEMOUTH, lands and mills of.

441. Feu Charter by Adam, Prior of the monastery of Coldingham, and the convent thereof, to William Hume, son and heir apparent of William Hume of Lochtullo, and his heirs, of the mill of Aymouth with pertinents called the Coil mylne, with the two husband lands of the lands of Aymouth which were leased to Thomas Michelsone, and are now occupied by the subtenants of the said William Home; to be held of the granters and their successors for the annual payment of the old rent of 22 marks, and 26s. 8d. of augmentation, with attendances at the three head courts held at Coldingham, and other customary services; dated at the Monastery at Coldingham, 20th February 1535-6, and signed by the prior, Alexander Lyndsay, sub-prior, James Spens, Adam Rainseman, William Lermocht, David Canta, William Hud, James Reydpeth, William Burne and George Pylmure, all members of the convent. Sasine was taken thereon upon the following day and was given by James Preston, as bailie, with the customary symbols; witnesses, Sir Rauland Hume and Edward Burd, chaplains, John Hume in Fast Castle, George Auchincraw, younger, and John Melvell, sergeant; Thomas Achesoun, priest of St. Andrews, being notary.

442. Papal confirmation of the grant by the Prior and Convent of Coldingham to William Hume of Lochtullo, younger (No. 441 *supra*), given by Richard Lawson, Archdeacon of Sodor, and

William Gibson, Dean of the Collegiate Church of St. Mary, of Restalrig, as commissioners (along with the provost of Seton, who does not act) appointed by Anthony, Cardinal of the four crowned saints, by letters dated at St. Peter's at Rome, 17th August, in the second year of the pontificate of Pope Paul the Third, 1536. The commissioners state that they summoned all parties interested before them in St. Giles Church, Edinburgh, on 22nd December, 1536, holding their court there in the chapel of St. Thomas the Apostle, and William Home of Lochtullo, senior, appearing as procurator for his son, and no objections being forthcoming, they confirmed and ratified the grant aforesaid; there being present as witnesses William Lauder of Haltoun, Sir Andrew Mylne, Sir Rolland Hume, Symon Hervey, Christopher Hume, Mr. William Meldrum, vicar of Strabrok, and Sir Thomas Gothrason, chaplain. Edward Dickson, clerk of St. Andrews' diocese, is notary.

443. Feu charter by John (Stewart), Commendator of Coldingham and Convent of the same of the order of St. Benedict, in the diocese of St. Andrews, to Thomas Gray, son of the deceased James Gray in Aymouth, whose services past and future they acknowledge, of those two husband lands and two and a half cottages of land in Aymouth formerly occupied by the said deceased James Gray and now by Thomas Blacader, within the barony of Coldingham; to be held of the Monastery for payment annually of 32s. 1d., six capons and four and a half poult, and giving service at three head courts at Coldingham, as the old rental, with 3s. 4d. of augmentation, and duplication of the said feu at the entry of heirs; dated at Coldingham, 6th August, 1552. Signed by the Commendator, Dean Adam Ransyman, sub-prior, and by William Lermocht, William Stevel, George Pylmur, John Lwn, George Achisone and Bartholomew Scott. The Seal of the Monastery, somewhat broken, is still appended to this charter and also to the Precept of Sasine of the same date. Infetment was taken thereon on 14th August following, the bailie being William Brone, *alias* Lard Cra; the witnesses, Sir Richard Purves, chaplain, James Aytone, Patrick Hulde, Mungo Hom, William Bonar, Henry Smyth and Thomas Brone; and the notary John Flynt, priest of St. Andrew's diocese.

444. Feu charter by John, Commendator of Coldingham, with consent of the Convent thereof, to William Lyndsay, who has made certain payments towards the reparation of the monastery, of half of a husbandland with a cottage and garden in the town and territory of Eymouth, bounded on the south by the Hyndlaw, on the west by Robert Gray, on the east by William Pa, and on the north by the Highway, and also of a tenement in the common of Eymouth on the west side of the tenement of John Webster; to be held for payment yearly of 10s. 7d., 2½ capons and 3 hens as the old duty, with the usual services, and three suits of court at the head courts held at Coldingham; dated at the monastery of Coldingham, 5th June, 1555; signed by the Commendator, and by William Hud, subprior,

and other members of the convent. The seal of the convent is appended but much defaced and broken. Sasine is taken hereon upon 17th January 1556-7; witnesses, William Brydie, John Wobstar, William Hud, and George Aschesone, monks of the said monastery, and Alexander Hud and James Trynecche; James Young, priest of the diocese of Brechin, being notary.

445. Precept by John, Commendator of Coldingham, directing Thomas Blacater and George Gray, as his bailies, to give sasine to Patrick Hulde in two tenements in Emocht presently occupied by himself; dated at Coldingham, 17th September 1557; witnessess, David Sinclair, vicar of Merlychtham, Patrick Barclay, James Curle, burgess of Edinburgh, and William Penango in Easter Quhytfield. Signed by the Commendator and convent, the seal of which is still affixed.

446. Instrument of Sasine, dated 17th August 1557, in favour of Alexander Hume, grandson and heir apparent of William Home of Prendergaist, in the Coil mylne of Eymouth and others, proceeding upon a precept of *Clare constat* by John, Prior of Coldingham, in which it is stated that the deceased William Home, son of William Home of Lochtullo, and father of the said Alexander, had died last seased in these subjects. The precept is dated at the monastery of Coldingham and signed by the prior, William Hud, subprior, and by William Lermonth, George Pilmuir, John Broun, George Achesoun, and Bartholomew Scott. Andrew Home, lawful son of William Home of Prandergaist, gives sasine, as bailie, to Nicholas Thomas, attorney for the said Alexander; witnesses, William Wethirspoun, George Yair and John Gray, indwellers in Eyemouth, George Hepburne of Paulswell, and others; William Lamb being notary.

447. Charter by John, Prior of Coldingham, and his convent to Alexander Zeman, of two tenements of houses in the common of Enmoht, presently possessed by himself, bounded by the sea on the east, the tenements of William Litster on the south, those of John Donaldson and John Gray on the west and those of John Gray and Elizabeth Pay on the north; to be held for payment of 18*d.* yearly, more than the said tenements formerly paid; dated at Coldingham Monastery, 15th October 1557; and signed by the prior and convent.

448. Feu Charter by John, Commendator of Coldingham, and his convent, to William Bradie in Eyemouth, and Helen Trynsche, his wife, who have paid to them a sum of money towards the reparation of their monastery, which has been utterly destroyed by the old enemies of England, of a tenement of land presently occupied by the grantees within the Common of Eyemouth; to be held by them for the yearly payment of 18*d.* Scots, with duplication thereof at the entry of heirs, and the service of a horseman when required; dated at Coldingham, 2nd August 1558. Sasine follows on 3rd August 1558.

449. Feu Charter by John, Commendator of Coldingham, and the convent thereof, to John Donaldson and Janet Neill, his spouse in liferent, and their children, whom failing, the lawful and nearest heirs of the said John in fee, of that tenement in Eymouth presently occupied by them in the Common of Eymouth between the tenements of Umphrey Wilson on the east and Christian Rychartson on the west, the Chapel on the south and Alexander Žeman and William Bell on the north; to be held for payment of 18*d.* more than the said tenement formerly paid yearly to the said Priory; dated at Coldingham, 17th June 1558, and signed by the Commendator and several of the convent.

450. Act of the Barony Court of Coldingham held in the church of the monastery by David Allan(?) of Rantoun and James Crow in East Reston, bailies, on 22nd October 1568, ratifying a rolment of the Court of Coldingham dated 6th April 1541 (which was produced by William Home in Eymouth, brother german to George Home of Ayton) bearing that on the complaint of William Home of Lochtullo that certain of those who were thirled to his mill of Eymouth and Coldingham Mill for grinding their corn and giving their service in casting of dams, etc., passed therefrom to other mills, it was ordained in judgment in presence of Mr. Henry Balnaves and the bailies and other gentlemen present, that any of these persons who transgressed in the manner complained of should be proceeded against.

451. Instrument of Sasine, dated 2nd April, 1575, in favour of John Gray in Eyemouth, brother's son of the deceased Thomas Gray there, in two husband lands and two and a half cottage lands in Eyemouth, proceeding upon a precept of *Clare constat* by Alexander, Commendator of Coldingham, dated at the Monastery thereof, 29th March 1575, and attested by George Home, lord of the frank tenement of Spott, Alexander Hoppringle, Andrew Levenax and Thomas Home, servant of the Commendator, and subscribed by the Commendator, George Pylmuir, George Achisone and Bartholomew Scott. Sasine was given by George Gray as bailie; witnesses, William Home *alias* Blak Will, William Doby and John Wilson, fisherman, indwellers in Eyemouth; William Lamb being notary.

452. Decree by the Lords of Council, dated 20th June 1575, at the instance of Libra Hamilton, widow of Alexander Home of Prendergaist, as life-renter of the mills of Aymouth and Coldingham, and William Home, now her spouse, against the tenants of Eyemouth and Coldingham for enforcing the thirlage and services due by them to these mills in terms of the Act referred to (No. 450 *supra*) obtained by William Home of Prendergaist and Lochtullo, father of the said deceased Alexander Home. The Extract is signed by Alexander Hay of Easter Kennet, Clerk Register.

453. Feu Charter by George Ogilvie of Dunlugus to John Gray in Eyemouth and Alison Herring, his spouse, of his half of two husbandlands and three acres of land in Hutsoun's croft,

and of the cottage thereof in the territory of Eyemouth, barony of Coldingham and sheriffdom of Berwick; to be held for payment of 28s. annually, and the customary services; dated at Edinburgh, 27th October 1576; witnesses, Martin Forman in Todlaw, and others. It is signed GEORGE OGILVY off DŪLUGAS with my hand, and the granter's seal, somewhat broken, is still appended. There is also a charter to the said John Gray by Robert Logan of Restalrig, dated at Fastcastle, 28th August 1577 of the other half of these lands which belonged to him, and which further states that the cottage in question lies between the cottage of William Home, occupied by William Craw on the south and that of John Brown on the north. The yearly rent is 40s. Among the witnesses are Alexander Auchincraw in Nether Aytoun, Henry Craw, his son, and Walter Logan, domestic servant to the granter.

454. Feu Charter by George Ogilvy of Dunlugas to David Hume of Nynwells and his heirs and assignees of his half of the lands and fishings in the town and territory of Eyemouth now occupied by Thomas Hair, Stephen Hair, Alexander Huldie and their co-fishers; also his half of the lands occupied by Thomas Neill, John Huldie and Margaret Barnis, widow of James Ramsay, and the deceased James Eistoun, and of all and sundry other lands and buildings and gardens there which he had not already feued to John Gray, son of the deceased Thomas Grey in Eyemouth, John Nisbet there, Thomas Hude there, Thomas Brown and John Brown, his son, there, and John Wilson there; to be held of the granter for the yearly payment of £20, with 20s. of augmentation and the customary services; dated at Edinburgh, 25th December 1576. Sasine was given therein on 13th March following by George Ker in Hutton as bailie, among the witnesses being John Brown, Thomas Hude, John Gray, John Gray called John the merchant, and Luke Tait in Chirnside; John Uchiltree, clerk of St. Andrews being notary.

455. Instrument of Sasine, dated 6th November 1577, in favour of John Broun, son and heir apparent of Thomas Broun in Eymouth, in an acre of arable land in Eymouth, in the barony of Coldingham; given by Alexander Broun, natural son of the deceased William Broun *alias* Laird Broun in Eymouth; witnesses, John Neisbet and David Craig, indwellers in Eymouth, Thomas Broun in Lamertoun, William Purves in Fischweik and William Broun of Brounlands; Alexander Simsone, clerk of St Andrews diocese, notary.

456. Feu Charter by Robert Logan of Restalrig and Fastcastle and David Home of Nynewells, and his heirs and assignees, of his half of a fishing boat, and of eight acres of land, and of five houses with gardens, all in Eyemouth, occupied by Thomas Hair and his co-fishers; to be held of the granter for the yearly payment of 7l. Scots; dated at Edinburgh, 10th November 1579; witnesses, William Millar, George Quhite and others; signed, ROBERT LOGÆ of RESTALRIGE. Sasine was given thereon on 8th June, 1580, to John Home as attorney of the said David,

possession of the boat being given by imposition of his hands thereupon ; witnesses, John Dunbar in Chirnsyde, Alexander Spens, brother german of Richard Spens of Chirnside Mains, and others.

457. Charter by Alexander Home of Manderstoun to Thomas Wilson, fisher in Eymouth, *alias* Mute Thomas, of a tenement in Eymouth presently possessed by him upon the seashore, bounded by the tenements of the deceased Patrick Henderson, Thomas Bonkill and Mariota Zeman on the west ; to be held of the grantee for payment yearly of 18*d.*, and two hens ; dated at Coldingham, 12th November 1580 ; witnesses, William Auchincraw in Svydwod, James Bour in Awchincraw, Laurence Gray, officer in Coldinghame, William Lamb, minister of Coldingham, and others. Signed, ALEXANDER HOUM off MANDARSTOUN. His seal is still appended, but is defaced.

458. Precept of *Clare constat* by Alexander, Commendator of Coldingham, for infetting Alexander Hulde, as son and heir of the deceased Patrick Hulde in Emouth, in two tenements of land in the place of St. Colin, now called the Loches, in the common of Emouth ; dated at Coldingham, 3rd June 1581. Signed by ALEXANDER, COMMEDATARIUS DE COULDYNGHAME, and by George Achisone and Bartholomew Scott. The Convent's seal is appended, but broken.

459. Instrument of Sasine, dated 14th June 1581, in favour of John Dunlope, son of John Dunlope in Wester Aitoun, in a tenement in Eymouth called the Baikhouse (locum Stercolinii) in the common, between the garden of the deceased William Bonar and the house of the deceased Clement Wilson ; sasine being given by Alexander Huilddie in Eymouth before the following witnesses, James Bour in Auchincraw, David Craig in Aitoun, John Wilson, Robert Falconer and Thomas Bonar, indwellers in Eymouth, George Lichtharnes in the Law of Coldingham, George Kilpatrick in Coldingham and James Gotthra, miller at the mill of Eymouth. There are two notaries, William Lamb, and John Flynt, priest of St. Andrew's diocese.

460. Act of the head court held at Eyemouth on 11th April, 1583, by Alexander, Lord Home, bailie principal, Alexander Home of Hutounhall, David Home of Nynwells and James Auchincraw of Gunsgreen, bailies depute, in consequence of a complaint by William Home, brother of the Laird of Aytoun, and Libra Hamilton, his spouse ; by which act it is ordained that " gif ony persone or personis particular or generall of the foirsaid townis of Coldinghame, Eymouth or of the Law of Coldinghame with the pendicles thair of passis fraudfullie or in contempt away with the gryst or succin to uthir millis fra Coldinghame or Eymouth myll, quhilk thay aucht and suld cum to, it salbe lawchfull in that respect for the said William and Libra, his spous, to tak their dry multuris fra the saidis personis disobeyaris ather in thair coming to or ganging fra ither myllis or in thair myll fluris gif neid beis ; and also gif the saidis personis stelis away with thair cornis in

the nycht that the said William knawis nocht, it salbe lesum to the said William and Libra to call them before my Lord Home's judges, as he thinks gude, for the hail profit quhilk sic personis mycht hauf payit according to the law and custome as of auld."

461. Precept of *Clare constat* by Francis, Commendator of Coldingham, for infesting John Mychelsone as son and heir of John Mychelsone *alias* Wobster, his father, in a tenement of land in the common of Emouthe; dated at Edinburgh, 1st April, 1588. (*Signed*) BOTHUELL. FRANCIS CÔMENDATAR OF COULDINGHAM, DEYNE GEORGEUS ACHISONE.

462. Feu Charter by Francis, Earl of Bothwell, Lord Crychtoun, Haillis and Liddellisdail, Great Admiral of Scotland and Commendator of Coldingham, to Andrew Hereis in Eymouth, and his heirs and assignees, of a tenement of land recently built by the said Andrew, lying in the common of Eymouth, between the tenement presently possessed by John Howme, cooper, on the west, the barn of Alexander Howme of Manderstoun, now possessed by Umphrey Wilson, fisherman, and the seashore on the north, the same shore and the street leading to it on the east, and the tenement of Alexander Broun, younger, on the south; to be held in feu farm of the Priors of Coldingham for payment of the old rent of 6*d.* yearly with half a poult, and 2*d.* of augmentation. There is a precept of sasine directed to Laurence Gray, and the charter is dated at Crychtoun, 29th September 1588; witnesses, Patrick Hepburn, apparent of Rickartoun, John Hamyltoun, apparent of Gamelstoun, David Collace of Auchinfercy, Mr. Robert Hepburn, rector of Hauche, and Alexander Cuik, notary. The seal of the Convent is appended, but somewhat broken.

(*Signed*) FRANCIS CÔMENDATAR OF COULDINGHAM.

463. Charter by Alexander Broun, elder in Eymouth, selling to James Mernis in West Reston, and his heirs and assignees whomsoever, his four acres of land in the territory of Eymouth, of which six roods lie contiguous in the field called Kamebalks, half an acre in the Deyneheid, one acre in the Brow, and the other in the town end; to be held of the granter blench; dated at Eymouth, 27th January 1589; witnesses, John Dundas, Ninian Broun and Andrew Gray, all in Eymouth, and John Horne, notary.

464. Charter by Robert Logan of Restalrig, dated at Eymouth, 8th November 1592, whereby he confirms two charters granted by Thomas Gray, son and heir of the deceased John Gray in Eymouth, with consent of Alison Herring, his mother, to his brother, Andrew Gray, and his heirs and assignees, of four acres of land occupied by the said Andrew in Eymouth, and of other four acres of arable land there also occupied by him, both dated at Eymouth, the one on 9th August 1585; witnesses, John Brown, David Lumsden, and Alexander Brady, fisher in Eymouth, and David Craig in Aytoun, younger; and the other on 21st

March 1586-7; witnesses, Thomas Trinsche, William Auchincraw and others in Eymouth. To the charter of confirmation Peter Dischington, Henry Ellom in Coldingham Law, William Ellom in Ranton and John Horne, notary, are witnesses.

465. Charter by John Home in Aytoun, lawful son and heir apparent of William Home in Quhytrig, with consent of his said father, whereby for fulfilment of the marriage contract of William Home, younger, his brother german, with Barbara Broun, lawful daughter of John Broun, senior in Eymouth, John Broun, younger, his son, being also a consenting party as well as his father, dated at Eyemouth, 4th September 1594, he grants to the said William Home, and Barbara Broun, his future spouse, and their heirs whomsoever, that husband land and cottage thereof which was formerly possessed by the deceased John Gray in Eyemouth, between the cottages of William Home of Prendergaist on the south and those of Thomas Zeman on the north; to be held of the granter under the King in feufarm, for payment yearly to the Crown of 16s. 10d. and three capons and two hens, with the customary services; dated at Eyemouth, 7th December 1594; witnesses, Robert Home, brother german of the granter, John Dundas, Adam Wilkesone and George Sprott, schoolmaster, all in Eyemouth, John Horne, notary, and Alexander Broun, brother of the said John Broun, senior. The seal of William Home is appended in duplicate.

466. Charter by William Home in Eymouth to John Broun in Eymouth in liferent, and to George Broun, his second son, after the said John's death, heritably, of eleven acres and half a rood of land, with pertinents, being part of his husband land in Eyemouth and situated as follows:—one acre in the Halkislaw, one in the Schortbrow, half an acre in the Claryknowis, half an acre in the Fourteenaker, one acre in the Reidpuir, half an acre in the North Fordell, a rood and half a rood in the Myd Fordell, half an acre in the South myletoppis, half an acre in the Strintup, one acre in the Wester long sandis, one acre in the south side of Willemedo, half an acre in the north side of the Williemedo, half an acre containing two rigs lying beside the slaughter house (carnam) near the Lyelscleuche, one acre in the Hairleuche, and three roods lying together in the Wairknowis, all these presently occupied by the said John, and half an acre in the Baiglaw occupied by Mungo Levingstoun, all in the barony of Coldingham and sheriffdom of Berwick, they having paid therefor 300 merks in terms of an agreement; to be held of the granter and his heirs, blench; with precept of sasine directed to Adam Broun, son of George Broun in the said town; dated at Eymouth, 2nd July 1595; witnesses, John Dundas, Andrew Gray, George Sprott, schoolmaster, and John Dewar, all in Eyemouth, and David Craig and John Horne, notaries. William Home signs by the aid of the notaries, as he cannot write.

467. Procuratory of Resignation by Richard Cass, W.S., appointing Michael Elphinstone, servitor to the King, to resign

in the hands of King James the Sixth the following lands and cottages in the territory of Eymouth and barony of Coldingham, viz., three husband lands, one occupied by John Hoppringill, son of the deceased William Hoppringill, another by the deceased (*sic*) William Home, brother of the deceased Alexander Home of the Crocegait of Coldingham, and the third by the deceased Alexander Broun, and now by his widow and son and their subtenants; as also those cottages lying in the Commonty of Eymouth, between the wynd passing between the lands pertaining to William Lindsay in Lintlaws and the lands of Stevin Bradie respectively unto the sea coast on the west, the said sea coast on the north, the water of Eyemouth till it comes to the foot of the Vennel called Kairn's Wynd on the east and ascending the said wynd to the common street of the said town on the east side of those houses and cottages occupied by William Home in Quhytrig and Robert Home, his son, and descending from the said common street by the back of those houses sometime belonging to the deceased John Wilsoun, fisherman, and now to John Tod in East Reston, until the end is reached of the houses belonging to John Gray, held of the heirs of Fastcastell, and passing up the wide common street of the said town by the back of those houses occupied by the said John Gray as far as the wynd passing between the houses occupied by John Fergusson and Mungo Levingstoun, and passing from the said wynd by the north side of those houses occupied by the said Robert and William Home to another wynd between the lands of the said William and Robert and the chapel of the said town, and passing thence west the highway as far as the head of the West Wynd passing between the lands of the said William Lindsay and Steven Brady on the south; as also all those cottages lying between the lands of William Home, portioner of Swynwode, occupied by the said Robert Home on the south side of the said wynd called Kairn's Wynd and passing from the head thereof by that little wynd to that part of the said common street called Rottindub between the lands of the said William Home occupied by the said Robert Home and the said street called Rottindub on the east and south, the High Street and the lands of Fastcastle on the west, and the same highway passing eastwards from the said chapel by the south side of the cottages of the said William Home of Quhytrig to the head of the said wynd of Kairn's Wynd on the north; as also that cottage occupied by Stein Hair, lying on the west side of the Rottindub, between the lands of the said William Home of Swinwode on the north, and those of the Laird of Aytoun on the south; a half cottage of land occupied by the deceased Alexander Brady on the west side of the Rottindub, between the lands of the deceased Thomas Gray on the north and those of the said William Home of Swinwode on the south; also three cottages of land lying together between the lands called Hundlaw on the south, the High Street of the said town on the north, the lands of the said William Lindsay on the east and the lands of the deceased Alexander Broun on the west; also two half cottages occupied by the deceased John Brady,

lying on the west side of the North burn; and that croft of arable land with the outset and yard called the Bailie croft, lying on the north side of the town of Paxtoun, between the lands of the Laird of Swanisfeild on the east, those of the deceased David Paxtoun on the west, the water of Quhittitter on the north, and the High Street of the said town of Paxtoun on the south; and all their pertinents, in favour of Sir George Home of Wedderburn, and his heirs and assignees; dated at Edinburgh . . . December 1597; witnesses, John Horne, writer in Eyemouth, Mr. James Harlaw, John Cass and Thomas Wilson, servants to the resigner.

468. Notarial Instrument dated at Coldingham, 6th February 1597, and in the chamber of Mr. Alexander Watson, minister there, narrating that John Hoppar, John Maling, John Cosar in Coldingham, Gavin Renton, Robert Maltman, Thomas Johnestoune, Patrick Purvis, James King, John Arneill, Thomas Sandersone, John Macgall, John Blak, Mungo Hoppar, Mungo Vobstar, John Polwart, John Cosar, younger in Rikilsyde, and Thomas Lumsdeane in Boganegreen, obliged themselves not to send any of their corn to any mills save those of Coldingham and Eyemouth, providing the millers there grind them within forty-eight hours after their going to the mill, and convey the corn to and from their houses, giving the neighbours no cause to complain of their service; or otherwise they protest that they will be free to go to whatsoever other mill they please until such fault is amended. If they do otherwise they consent to pay a penalty of 20s. for the first fault, 40s. for the second, and so on, doubling the penalty on every subsequent transgression hereof. The said minister is a witness with David Craig, the notary.

469. Tack by John Nisbet in Eymouth and Thomas Nisbet, his son, to John Johnstone, chaplain there, and Katherine Michelsone, his wife, for nine years, of one and a half acres of arable land there. The tack is to be registered in either the Sheriff Court Books of Berwick, or the Barony Court Books of Coldingham, and the instructions to the procurators for registration are as follows:—"Lykeas it sall pleis yow our procuratouris abonnamit compeir befor the foirsaidis judges or athir of thame and in our namis consent to the registering of thir presentis in thair bukis conforme to the clause abonewrittin, and thir presentis sall always be for yow ane sufficient warrand." Dated 2nd November 1597.

470. Charter by Sir George Home of Wodderburn to Patrick Huldie in Eymouth and Isobella Polwart, his spouse, and their heirs, of that half cottage of land with pertinents in Eymouth which formerly belonged to Bartholomew Marchall; to be held by them for payment of 14*l.* and one and a half hens yearly. The charter contains precept of sasine directed to Andrew Herries, officer in Eymouth, and is dated at Wodderburn, 12th September 1598; witnesses, Mr. Thomas Craig, advocate, Mr. Patrick Gaittis, minister at Duns, and Mr. Alexander Gaittis, his son. The seal of the granter, in good preservation, is still

appended. Sasine was taken hereon on 16th September, according to an indorsation on the charter; witnesses, Alexander Broun, one of the bailies of Eymouth, James Bell, miller there, and John Broun and Adam Wilkison, also there.

471. Charter by Sir George Home of Wedderburn, knight, to Mark Gray, baker in Eymouth, and his heirs, of the third part of a cottage of land in Eymouth, for the yearly payment of 9*d.* and a hen; dated at Eymouth, 23rd June 1599; witnesses, Mr. David Home of Godiscroft, the granter's brother, David Nisbet in Cumerghame and others.

472. Procuratory of Resignation by John Nysbet in Eymouth in favour of John Horne, indweller there, appointing his procurators to resign in the hands of Mr. George Home of Wedderburn his six acres of arable land, being part of his husband land in Eymouth, viz., one acre, containing three rigs lying in that shot called the Schuilbraidis, sometimes occupied by Patrick Huldie, maltman; other three acres, sometime occupied by John Johnstone, merchant, of which one is in Over Bairfute, called the Heidland acre, half an acre containing three butts adjacent in the Over Welsteil, half an acre containing two rigs and a rigend in the Blackcroft, and the other acre containing two daills in the Hilawbank; another acre containing two daills and a rig lying on the west side of the said Hilawbank, sometime occupied by Robert Gotthra, but which, with the four acres already mentioned, are all now occupied by John Horne himself; and the other acre, containing three rigs of land, lying in Nather Bairfute, is occupied by Patrick Sinclair, cordiner; dated at Eymouth, 12th July 1599; witnesses, William Taitt in Kelso, Alexander Brown, bailie of Eymouth, William Hoppar there, and Mr. Thomas Trynsche, schoolmaster there.

473. Charter by John Nisbet in Eymouth, with consent of Thomas Nisbet, his only son and apparent heir, to John Horne, notary in Eymouth, of his husband land with the cottagethereof, granted to him by Robert Logan of Restalrig, and Sir George Ogilvie of Dunlugas; to be held of the granter and his heirs, under Sir George Home of Wedderburn, for yearly payment to the latter of the old rent of 20*s.* and 10*s.* of augmentation; dated at Easter Coittis, 28th August 1600, and at Eymouth 31st December 1600; witnesses at Coittis, Richard Cass, W.S., Mr. Alexander Cass, son of Alexander Cass, portioner of Monktonhall, and Archibald Kyle, son of the deceased Archibald Kyle, burgess of Haddington; and at Eymouth, Alexander Home of Renton, Andrew Gray, one of the bailies of Eymouth, and William Hoppar, miller there. Two seals are appended, but much defaced. There is a charter by Robert Logan of Restalrig to John Nisbet in Eymouth and Janet Gray, his spouse, of a husband land and half a cottage of land in Eyemouth, dated at Fastcastle, 26th May 1577; witnesses, William Craik in Rantoun, Alexander Craw in Coldingham, George Lichtharnes there, and John Gray, merchant in Eymouth; and signed by the granter, whose seal is still appended.

474. Charter by Richard Broun in Lammertoun to Peter Bagarno in Eymouth and Margaret Lyle, his wife, and their heirs, of his house in Eymouth, situated on the west side of the Vennel, leading to the Rottendub; to be held of the granter under Sir George Home of Wedderburn for payment to the latter of 9*d.* and one hen yearly; dated at Eymouth, 14th July 1600; witnesses, Andrew Gray, bailie of Eymouth, Andrew Hereis, carpenter and officer there, William Hopper there, Edmond Bagarno, brother to the said Peter, and others. In another charter by the same to the same, dated 9th March 1602, of his house lying between Cairn's Wynd on the south and Neill's Wynd on the north in Eyemouth, to be held of the same superior for payment of 7*d.* yearly, the granter calls himself son and heir of Thomas Broun in Lamertoun, and among the witnesses to this charter are George Grieve in Aytoun, Patrick Grieve, his brother there, and John Richartson, schoolmaster there.

475. Rental by Sir George Home of Wedderburn, knight, admitting Christine Gray, daughter and heir of the deceased John Gray, skipper in Eymouth, as his irremovable tenant in two acres of arable land in Eymouth, of which one lies in the Goldin Aikeris between the lands of William Home on the south and those of David Home of Nynewells on the north, and the other beside the Kellilaw between two balks, having the lands of the said William Home on the west and those of William Home in Quhitrig on the east. For these she is to pay 10*s.* yearly, with one day's work of a horse "in aitseedtyme" and another day's work of a horse in the home bringing of Sir George's turfs or peat; also "the girst of the cornis of the said twa aikeris land, we causeand cary the samyn to our corne mylne of Aytoun." Sir George binds himself and his heirs to renew this rental to the heirs of the said Christine, they paying to him at their entry the double of the feu duty; and it is provided that if they shall delay their entry they shall pay the double feu duty for each year they lie out, and that the said Sir George and his heirs shall have power to remove any other person from the subjects herein granted unless they come in with their permission. Dated at Polwart, 24th August, 1603; witnesses, Mr. George Roull, brother german of Robert Roull of Peillwallis, James Cokburne in Langton, and others.

476. Charter by Sir George Home of Wodderburne, knight, and David Home, his son and heir apparent, whereby they grant in feu to George Broun, second son of the deceased John Broun in Eymouth, and his heirs and assignees, the seven acres and one and a half roods of land in the town of Eymouth after mentioned, viz:—seven acres and half a rood of those mentioned in the Charter by William Home in Eymouth, *alias* Blakwill, now deceased No. 466 *supra*) and lately possessed by the said deceased John Broun; to be held of the granters for the yearly feuduty of 15*s.* and eight hens, with the customary services and duties—and being thirled to the mill of Aytoun. There are the

customary irritancies. The charter contains precept of sasine and is dated at the manor of Polwart, 2nd August 1608; witnesses, Mr. Henry Stirling, brother german of William Stirling younger of Ardoch, William Home, portioner of Huttoun, Thomas Symsons, son of John Symsons in Dryburnefurde, James Haldane, servitor to the granter, and John Dewar, notary. Sasine followed on 1st June, 1609, given by David Nisbett in Kummerghame, as bailie; witnesses, John Trynsche, Edmund Bradze, William Michelsone and Patrick Mure, indwellers in Eymouth.

477. Charter by William Lindesay in Lintlaws, with consent of Elizabeth Lindesay, his wife, and of William Lindesay, younger, his son and heir apparent by Beatrix Home, his first wife (who is yet in minority), whereby they sell to Christian Huildie, relict of James Bell in Eymouth, three acres of arable land with pertinents occupied for some years past by the said James Bell and spouse and now by his said widow and situated as follows, viz., one acre in that field called the Fourtene aiker, one acre in the Houndlawslaw, half an acre in the Schulebraidis, a rood in the Halkslaw, and another rood in the Quhytehill; which three acres are part of his half husband land in the territory of Eymouth, and the price of which he acknowledges he had received from the said James Bell when he was alive; to be held by the said Christina Huildie and her heirs and assignees blench of the granter, but paying to his superiors the proportional part of rent and services as due by his infeftment; dated at Eymouth, 29th May 1610; witnesses, Andrew Gray, John Young, Robert Gothra and Patrick Huildie, miller, all in Eymouth, Adam Lindesay, brother german of the granter, Cuthbert Cokburne in Cheiklaw, James Litster, schoolmaster in Aitoun, and Henry Quhyte, servitor of John Home, notary. Sasine was taken thereon by Christina Huldie in person on 4th June following, and was given by Alexander Edingtoun, officer of Coldingham.

478. Instrument of Sasine, dated 2nd May 1614, in favour of Patrick Sinclair in Eymouth in an acre of arable ground presently occupied by himself, of which three roods lie in that field called Daffines Windes and the other in the field called Houndlaw, being part of that half husband land belonging to William Lindsay, senior in Eyemouth, in the barony of Coldingham, and which has been sold to him by the said William Lindsay, with consent of William Lindsay, junior, his eldest son by his first wife, Beatrice Home, and of Elizabeth Lindsay, spouse of William Lindsay, senior, and of George Home of Craimeruik, by charter dated at West Reston and ——— 10th and 30th April 1614, attested by Adam Lindesay, brother of the granter, Robert Miller in West Reston, younger, and John Richartsone, notary in West Reston. Sasine is given by John Gotthra in Eymouth mill; witnesses, Patrick Clark, schoolmaster in Eymouth, James Gotthra, George Broun, servant of Adam Broun, and . . . Thomson, son of David Thomson in Eyemouth.

479. Disposition by George Broun in Eymouth wadsetting to John Polwart, lawful son of the deceased Patrick Polwart in Coldingham Fluieres, for 100 merks Scots, an acre of arable land, viz. half an acre lying in that shot of land called North Fordell, presently occupied by Patrick Huldie in Eymouth, bounded on the south by the lands of John Gray in Eymouth and on the north by lands occupied by William Hill there; and the other half acre in that shot of land called Strooteup, presently occupied by the disponder and bounded on the north by the lands of Marion Ker of Blakhill, and on the south by those of John Pringill, lying in the town of Eymouth and barony of Coldingham, to be held blench, and redeemable for the said sum of 100 merks; dated at Eymouth, 13th May 1619; witnesses, Alexander Pae, Patrick Huldie and Robert Huldie, his son, and Robert Mountgomrie, all in Eymouth, and George Todrig, notary in Aytoun.

480. Charter by Sir David Home of Wedderburn, knight, to John Home, eldest lawful son of Robert Home in Eymouth, and his heirs and assignees, of one cottage of land and a fourth of a cottage of land formerly belonging to Alexander Dunse in Eymouth, with some other pieces of land, including the half of a cottage of land which belonged to the deceased James Aytoun; to be held of the granter for payment of £4 Scots yearly; dated at Eymouth, 12th August 1619; witnesses, John Trynsche and George Broun in Eymouth, and David Home, brother german of the deceased Patrick Home of Coldingham, and others.

481. Disposition by Patrick Home, portioner of West Reston, son and heir of the deceased John Home of West Reston, with consent of Margaret Hepburne, his spouse, and of Mr. Thomas Hepburne, parson of Auldhamstockis, his father in law, to Marion Ker, widow of Robert Home of Blakhill, in liferent, and to Alexander Home, now of Blakhill, their son and heir, of a husband land and cottage thereof in Eymouth, bounded by the cottages of the deceased William Home, called of Prendergaist, and now pertaining to the said Marion and her son on the south, and the cottage and onset formerly pertaining to Thomas Zeman and now to John Pringle in Eymouth, on the north, and which the said deceased John Home of West Reston acquired from William Home in Eymouth and Barbara Broun, his spouse, who had obtained it from George Home in Aytoun, his brother-german. The price of the lands is 2,405 marks. Dated at Blakhill, 2nd September, 1622; witnesses, Sir Patrick Home of Aytoun, knight, Sir John Home of Dunce, knight, and John Richardsone and Robert Pow, notaries. The charter by William Home, portioner of Eymouth, and Barbara Broun, his spouse, is dated at West Reston, 26th March 1619; witnesses, Mr. Samuel Home, bailie of Coldingham, Mr. Alexander Home, minister of Aytoun, and others.

482. Backbond by William Mitchelsone, lawful son to the deceased Mungo Mitchelsone in Coldingham, now indweller in Warristoun, in which he narrates that John Mitchelsone, grandson and apparent heir to the deceased James Bell, maltman in

Eymouth, in his present sickness and weakness has, by his disposition, of the date of these presents, sold to him and his heirs and assignees, his three acres of arable land presently possessed by Isobel Pollwart in Eymouth, and Robert Huildie, her son; as also his onset of houses there, and maltkiln and malt barn, and his onset of houses in Coldinghame with yards and pertinents as set down in the said disposition, to which he is to enter as possessor in the event of the said John's death, who has also made him assignee to all his heirship goods falling to him by the death of the said James Bell and Christian Huildie, his wife, and of Janet Bell, his mother; and he promises that if it shall please God to restore the said John to his health and prolong his days, he will repone him in all his possessions whatsoever and annul the said disposition; dated at Eymouth, 6th August 1627; witnesses, Nicol Home of Beapark, James Livingstone in Eymouth, and Robert Pow, notary there.

483. Extract Act of the bailie court of the barony of Coldinghame held at Eymouth, 20th December 1628, by Robert Dowglas, bailie of barony, before whom compeared John Michael-soun, *alias* Wobster, in Eymouth, oy and heir of James Bell in Eymouth, being now 22 years of age, and with him Robert Pow, notary in Eymouth, as his procurator, and gave in the Letters of Revocation after described to be registered in the Barony Court books:—In these the said John narrates that in his young and tender years he was seduced and enticed into granting to Isobel Polwarth, widow of Patrick Huildie, maltman in Eymouth, a seven years' tack of an acre of Houndslawlaid, being part of three acres of arable land which his said grandfather, James Bell, and Christian Huildie, his spouse, acquired from William Lindsay in Lintlaws; and he was also enticed to the subscribing of the Legacy and Latter Will of the said Christian Huildie, thereby consenting to the relief of the said Patrick Huildie and his heirs from a sum of money due to John Bell in Lithgow by the said Christian Huildie as principal and the said Patrick Huildie as cautioner: and further he was enticed into the disposing to William Michaelsoun, *alias* Wobster (as in No. 482 *supra*), all these being to his great hurt and damage; and therefore he now before the age of twenty-five years revokes these deeds and protests for restoration *ad integrum* to his estate. Done at Eymouth, 20th December 1628; witnesses, Alexander Naper, schoolmaster in Eymouth, Robert Blyith, son to Alexander Blyith, there, and the said Robert Pow, notary. The Extract is certified by Robert Mudie, notary clerk of the said Court.

484. Charter by John Stewart of Coldinghame, as superior of the lands aftermentioned, with consent of Francis Stewart, his eldest brother german, of Alexander Cranstoun of Moreistoun and of Elizabeth Douglas, niece and heir of the deceased William Douglas of Blaikerstoun, and of Robert Douglas now of Blaikers-toun, her spouse, to Walter Stewart, for his long and many faithful services, and his heirs and assignees whomsoever, of one and a half husband lands with the onstead and pertinents thereof in the

town and territory of Eymouth, presently occupied by Mr. George Auchterlonie and his tenants; to be held of the granter for payment of the old rent of 6s. 8d. with 1s. of augmentation and two hens yearly, with duplication at the entry of heirs, and with the customary services to the Prior and Convent of Coldingham; dated at Edinburgh, 10th August 1631; witnesses, Robert Hepburn, writer, Archibald Thomson, burgess, and John Martin, notary, all in Edinburgh.

485. Decreet of valuation of the Teinds, parsonage and vicarage, of the parish of Eymouth, dated 23rd January 1635, given in by Henry Trotter of Mortonhall and Mr. Patrick Home of Billie, advocate, to be recorded in terms of the Act of Parliament for registration in order to supply the place of the lost registers. It was accordingly registered in the new Register of the Commission of Teinds, on 22 December 1756, and an Extract supplied.

486. Extract Act of the Presbytery of Chirnside, as follows:—
"Apud Eymouth, the 9 of Junij, 1642 yeirs. The quhilk day the brethrein of the presbitry mett at Eymouth for the visitatione of the kirk thereof, the whole heretoris and parishionars being all convenit ther for the tyme, to report ther grivances to the brethreine, and amongst the rest of the heretoris compeirit Waltar Stewart and did petitione the brethrein and remanent heretoris and parishioneris, as said is, for a place in the church to build a seat for him and his children. The quhilk petitione was granted to the said Waltar, and they all in vna voce, did designe a place in the west end of the church to the said Waltar to build a seat and [torn] up for him and his posteritie in all tyme coming. Extract out of the booke of the presbitry per me. —Be me Mr. Matthow Carraill, minister at Edrem and clerk to the prebyterie of Chirnsyd."

487. A large parchment entitled a "Just and Trew Rentall and Account of twa husband lands and thrie aikeres of land called Huttsonis Croft, and ane midow and twa cottages or heidroumes lying to the saides landes." They belonged heritably to John Gray in Eyemouth, held by him and his predecessors of old in feu from George Ogilvie of Dunlugas and Robert Logan of Restalrig, but now from the Laird of Wedderburn. The situation and boundaries of each piece of land is minutely given, but the document is chiefly interesting for the names of the fields in which they lie, viz.—The Hoopaiker, the Howndlaw, the eastmost Reidpoore, the Short Heavines, commonly called Dirlinpintell, the Over Heavines, the Nether Heavines, and the Nethermost Heavines, most commonly called the Midowend, the Hither Hilawbank, the Wester and Farr Hilawbank, Broadlies, Dalphineswines, Killilawmuir, Huttsones Croft, Fullfarduwell, Purviscroce, Wellsteill, Hither Wellsteill, Lymholles, Brayheid, Nether Berfite, Foordoores, Over Berfitt, the Nicollesfaldes, Pocklaw, Blackcroft, Longdailles, the Rowndabowtes, the Delff, the Rottendowb, and the Kirkhille. These boundaries and other facts stated are attested by nine honest men, being all indwellers

in the town of Eyemouth and the oldest labourers of the ground, who best knew all the town and parish. Their names and ages are as follows :—Stiphane Ailme, 80 ; James Dunlope, 81 ; William Craw, 70 ; Robert Aillinshaw, 68 ; and Archibald Yemen, 53, none of whom can write ; and Robert Huldie, 63 ; William Lermont, 58 ; John Mack, 57 ; and John Burnett, 40, who subscribe their names. The Rental is dated at Eyemouth, 19th March 1651 ; witnesses, George Hallyday, schoolmaster there, John Young and his brother, Andrew, there, and Mr. Robert Pow, second lawful son of Robert Pow, notary, in Eyemouth.

488. Another large parchment, similar to and dated and attested as the foregoing, being “Ane juste and trew Rentall and Account of twa husband lands and twa cottages and ane half cottage with their pertinents” belonging to John Gray, portioner in Eyemouth, and held of old from John, Commendator of Coldingham. The names in this document are as follows :—The Shoolbreds, the Willibus, the Wenawaygaitsyde, the Loansyde, the Reidpoore, the Exupe or Nether Willibus, the Nether Exupe, the Back Stibilaw, Pepperknowes, the Millandes, the Farr Millandes, the Baiglawburne, Fordell, Farr Fordell, the Dennes Shoot, the Strwtwpe, the Toodholles, the Greysheilles, the Farr Millcapes, the Pow of Millcapes, the Baiglaw, the Hither Longsandes, Over Buckorlands, the Krewkis, the Goldaikeres, the Fowldub, the Kettell Krewkes or the Willies, the Daphineswines, the Fowrteinaiker, the Height of the Killielaw, the Back of the Killielaw, Over Greinfaldsteides or Beneath the Killilaw, Nether Greinfaldsteides or the Blackeroft, Howndleslaid, Farr Howndleslaid, Hither Haikeslaw and Farr Haikeslaw, Longbrow and Over Longbrow, the Crinelles, the Crinnell roodheid, the Nether Shortbrow, the Coolorcove, Over and Upmost Shortbrows, the Camellies, the Northburne, and the Rottendowbe. Annexed to this sheet there is a similar attestation respecting the outfield of these lands, comprising pieces of land in Grayeshauch, the Stonlaw, the Toodlawhauch or Hoowfurd Haugh, the Willimidow, the Castellhaugh, the Appelltriehewgh, Lyllesclewgh, Over or North Flasses, South Flasses, and the Wairknowes.

489. Petition by the merchants and inhabitants of the port of Eyemouth, c. 1660 :—

“To the Right Honourable the Judges of the Admirallitie in Scotland, the Humble Petition of the Merchants and Inhabitants of the Porte of Eymouth and others here under subscriyveing, Humbly sheueth unto your Honors, first, That

1. Whereas John Home of Rentoune (having of a long time beffer been in use to put up in the harbour of Eymouth sufficient beacons and fasts for holding of ships and barges that did frequentlie come to this harbour either in faire weather or in storme for traide) doth now altogether refuse to keep in this harbour either beacon or fasts sufficient for keeping ships from hazarde, so that it can be made appeare for want of beacons when ships or small vessels come in that the inhabitants of this place doeth cause a small fisher's boate ly ther at the place wher the

beacon should stand, oftentimes to the hazard of ther lives. Also for want of fasts they ar many tymes in a storme compelled to put ther toues in at windoues of houses and in at gates putting trees overthwart to ty their toues at for want of sufficient fasts. Yet notwithstanding the said John Home of Rentoune will have tuo bolles of syze of any shipe or barge small or great that cometh in here with corne, coales or salt, though the quantitie wer but fourtie bolles, which occasioneth many to goe from this place that would come thither, to our great prejudice.

2. We conceive our selves not lyable in payment of either syze or anchorage to the said John Home of Rentone because of his not doinge a duety as in keeping up of fasts and beacons and cutting the rocks that lyeth within the harbour.

3. Admitte that a syze bolle shalbe found due to be payed to the said John Home upon his doinge a duetie, as putting up of fasts and beacons, yet what salt, corne or coales cometh from port to porte within the land having payed imported dues by the importer cannot be lyable in payment of a second dues, no more nor guids can be lyable in paying tuo times excyse and tuo times custome; for when we buy salt or corne at Londone, Leith, Yarmouth, or any place within the dominions, and payeth excyse for them, we cannot be lyable to pay tuo bolles out of that which hath payed dues to the states, in regard our transhyres declares the contraire.

4. He is so exact in collecting his syze for salt, coales and graine, when occasion offers, that he would have no lesse then tuo bolles of syze of fourtie bolles of salt that came out of Leith; in wittnes quherof, he sent doune his oun soune, Harie Home, and a pairtie of men to break up John Curry his seller doore the yeere 1655 to take syze violentlie, contrairie to peace.

5. He will have his syze as abovesaid yet neverthesse he sayes he will do no duety, neither is he tyed to do any, as to put up fasts, beacons, or cutt rocks, which if so be, the like practise is not in all this nation, which is to our great prejudice.

6. It is knoune lykewayes to many both strangers and others within the land hou usefull this porte hath been for saftie of ships and barges from stormes of weather and from men of ware, and hou usefull it may be, wittnes, Henry Carlyle, Robert Cummings, James Watstone, all three maisters of ships belonging to Newcastle [to] Leith and in Eymouth wer all chased in to this porte by pyrates this yeare, and for want of a beacon might have come to the losse of ther ships and goodes if the fishermen of the place had not supplied the want therof.

They therefore in all humilitee most earnestlie entreate your Honoures serious considerationes of the premisses and your petitioners reasones, and if yow conceive that Mr. Home hath the royaltie or priveledge of that porte and he can make it furth by law, then they hope your Honors will order both what syze of corne, salt or coales, &c., shalbe payed, and how much for severall quantities, in what manner they should be collected, and that he may be ordained to sett up sufficient fasts, beacons, &c., and cut the rocks, for ships tradeing and saftie, at

his own charges. And if it cannot be made appeare his right therunto then they humblie hope your Honoures will grant the same to them for the goode of this poore place, which may be so usefull for tradeing and vessels securitie. All which they referre to your Honoures judgement, and shall ever your humble petitioners remaine. (*Signed*) Johne Hume, T. Broune, A. Broun, Th. Gray, G. Lauder, J. Currie, Jacob Grierson, Maister Johne Robertsons, Dawid Moore, Willm. Learemont, Androw Verttie, Williame Young, Johne Haig, William Brown, Dawid Nisbitt, John Houm, Thomas Roberttsone, James Waite, Alexr. Young, James Young.

490. Disposition in Security by Eupham Scott, eldest lawful daughter of the deceased Sir Laurence Scott of Eymouth, and Mr. Robert Scott, minister at the Abbey of Halyrudhouse, as cautioner for her, to Sir John Clark of Pennycook, knight and baronet, who has lent her 1,000 merks, of an annual rent of 100 merks upliftable from and secured over her lands and barony of Eymouth, comprehending the seven husband lands and cottage thereof, with manor place, port and haven and all other lands, acres and pertinents thereof, during their non-redemption; dated at Edinburgh, 8th January 1685; witnesses, Robert Drummond, brother german of Sir William Drummond of Hawthornden, James Scott, W.S., and Henry Legat, writer in Edinburgh. Signed by the granters and witnesses and apparently also by the said Sir William Drummond.

7. FASTCASTLE, ETC.

491. Procuratory of Resignation by Lady Elizabeth Hume, the elder of the two heiresses of Fastcastell, with consent of Robert Logan of Restalrig, knight, her husband, directing James Quhitehead, George Ogilvy and Ninian Cockburn, as her procurators to resign in the hands of King James the Fifth, as her superior, her half of the following lands, viz:—The lands of Hutton and mill thereof, the lands of Bonyntoun with the keeping of the Castle of Berwick upon Tweed, the lands of Horndene, two husband lands in the town of Dunse, two husband lands and a kiln in the town of Lethem, the lands of Nesbetsheills with the wood thereof, and the superiority of the lands of Rawburn, with their pertinents, all in the sheriffdom of Berwick; and that in favour of, and for a charter to be made thereupon to her dearest son and heir apparent, Robert Logan, younger, and the lawful heirs of his body, whom failing, to Barbara Logan, his sister, and her lawful and nearest heirs whomsoever; dated at Restalrig, 24th December 1539; witnesses, Mr. George Forestar, Edward Hume of Rysland, and Alexander and John McNele, notaries. Signed, ROBERT LOGANE off RESTALRIG, kny^t, Elizabeth Hume subscribing by the help of one of the notaries. The seals of both are appended, but somewhat broken; that of Robert Logan carries a shield bearing three piles; and that of Elizabeth Hume a shield, bearing quarterly 1 and 4 a lion rampant, and 2 and 3 a chevron with three stars or mullets, two in chief and one in base.

492. Retour of the special service of Robert Logan of Restalrig as heir to Robert Logan of Restalrig, his father, in the lands of Hutton, Horndean, and others in the sheriffdom of Berwick, part of which are held of the Crown and part of the Commendators of Coldingham. His father died in September 1561. The retour was exped in the Tolbooth of Edinburgh before Archibald Douglas and another, as sheriffs in that part on . . . April 1576, by the following jury of inquest:—Patrick Hepburn, of Wauchtonn, younger; John Stewart, of Craighall, knight; Archibald Naper of Edinbillie, knight; James Johnnestoun of Elphingstoun, William Wauchope of Nidry Merschell, John Touris of Innerleith; John Creychtoun of S [torn]; Robert Fairlie of Braid; George Dundas of that Ilk; Thomas Otterburne of Reidhall; James Rentoun of Billie; James Gifhert of Sherefhall; Alexander Creichtoun of Drylaw; David Hammyltoun of Fingaltoun, knight; George Prestoun of Camroun; James Lawrestoun of that Ilk; and William Forrestar, inhabitant of Leith.

493. Instrument of Sasine, dated 22nd March 1577, in favour of George Friskin, in half of a husbandland in the town and territory of Hutoun, occupied by himself; proceeding upon a charter by Robert Logan of Restalrig and Fastcastle dated at Edinburgh, 8th March 1577, and attested by Walter Logane, the granter's servant, John Uchiltre, notary (who, as such, subscribes the sasine), and James Friskin in Leith (who acts as bailie in giving sasine). The Sasine is witnessed by Alexander Tod in Coldingham, Patrick Skoulare in Hutoun, and John Cristesoun, William Wode and Thomas Watter there, and James Ross, reader in the parish church of Hornden.

494. Extract of Registered Letters of Consent by James, Lord of Balmerino, Secretary for Scotland, and President of the College of Justice there, to a Disposition by Robert Logan, sometime of Restalrig, with consent of Marion Kie, his spouse, of the lands of Flemingtoun, called Nather Aytoun, Reidhall, Nether Byir, Brownisland, and Gunnisgrene, with the corn and walk mills of Flemingtoun, in the barony of Coldingham and shire of Berwick, to George, Earl of Dunbar, Lord Home of Berwick; and also acquiescing in the acquisition by the said Earl of the lands of Fastcastle, with the Mains thereof or Wester Lumsden, Dowlaw and Doliolme or Cauldsyde with the mills in the foresaid barony, from Archibald Douglas and Alison Home, his spouse, which they had acquired from Logan; dated and recorded at Edinburgh, 4th January 1606.

8. LAMBERTON.

495. Charter by Adam of Lamberton to Galfrid of Hasswell, his grandson, of a third part of his land of Lamberton. (1190-1200):—

Adam de Lambertun omnibus hominibus et amicis suis, salutem.—Sciant presentes et futuri me dedisse et concessisse et hac carta mea confirmasse Galfrido de Hesswel, nepoti meo, totam terciam partem tocius terre mee de Lambertun in pratis

et pascuis et omnibus aliis justis pertinentiis suis intus et extra : Tenendam sibi et heredibus suis de me et heredibus meis in feudo et hereditate, ita libere et quiete, plenarie et honorifice, sic ego aliam terram meam in Lambertun liberius, quicquid, plenius et honorificentius de Priore de Coldingham teneo : Reddendo inde annuatim mihi et heredibus meis unam libram piperis ad Pentecostem, et faciendo inde domino Regi forinsecum servicium quod ad ipsum pertinet, et Priori de Coldingham servicium quod ad illam terram pertinet : Dabit autem predictus Galfridus et heredes sui mihi et heredibus meis pro forisfacturo suo duodecim denarios, et pro marcheto suo duodecim denarios ; heredes autem ipsius Galfridi dabant pro relevatione terre sue dimidiam marcam argenti : Ego autem habeo extra partitionem terre mee predictae duas culturas quindecim acrarum pro quarum tertia parte dedi et concessi predicto Galfrido et heredibus suis sex acras in declivo montis versus austrum super illas culturas illis primas cadentes. Testibus, Ricardo de Prebendo, clerico domini Regis ; Waltero, capellano domini Regis ; Roberto de Borneuill, vicecomite de Berewic ; Nicholao, capellano de . . [defaced] ; Beringero, clerico domini Regis ; Ricardo, filio Widonis, marescallo domini Regis ; Helio de Prendregest ; Gregorio, senescallo de Coldingham ; Radulpho Arandem ; Waltero Senescallo ; Roberto de Bornevill ; Roberto, filio Roberto Frebern ; Edwardo, filio Jocelini ; Ricardo de Coldingham ; Thoma de Aldekambus ; Willelmo Pollard ; Hugone Ego, et ceteris.

496. Charter by Peter of Mordington, knight, son of the deceased Sir William of Mordington, to Simon of Baddeby, of certain lands in Lamberton which Baldwin Tod and Syrith called Cuter, sister of the deceased Salomon Frebern, had possessed, c. 1276 :—

Sciunt omnes tam presentes quam futuri quod ego, Petrus de Morthingtoun, miles, filius quondam Domini Willelmi de Morthingtoun, dedi, concessi et hac presenti carta mea confirmavi Symoni de Baddeby pro homagio et servicio suo unum toftum et croftum in villa de Lambirtoun, et duas bovatas terre in territorio eiusdem ville, illud scilicet toftum et croftum cum predictis duabus bovatis terre quas Baldwinus Tod et Syrith dicta Cuter, soror quondam Salomonis Frebern, temporibus suis tenuerunt : Tenenda et habenda dicto Simoni et heredibus suis, vel suis assignatis, de me et heredibus meis, libere, plenarie, honorifice, in pace et quiete, ab omni opere, servicio, consuetudine, auxilio, exactione et demanda, cum communi pastura et omnibus communibus asiamentis et libertatibus ville de Lambirtoun pertinentibus vel pertinere valentibus, infra villam de Lambirtoun et extra : Reddendo inde annuatim mihi et heredibus meis unam libram cymini uel duos denarios ad Pentecostem pro omnibus que ratione dicte terre cum suis pertinentiis exegi poterunt in posterum, salva warda mihi et heredibus meis de dicta terra proveniente, et faciendo inde forinsecum servicium domino Regi, et domini de Coldingham quantum pertinet ad dictas duas bovatas terre. In cuius rei testimonium presenti carte sigillum meum apposui ; hiis testibus,

Domino Henrico de Prendirgest, milite; Willelmo de Baddeby, tunc constabulario de Bereuuic; Ada de Lambirtoun, tunc senescallo domini Prioris de Coldingham; Waltero, filio Fabri de Aytoun; Ada filio Walteri; Johanne de Eistoun; Willelmo de Anecrofte; Roberto de Aytoun, et multis aliis. [There is a small round seal appended displaying a hawk perched on a hand, the forearm being extended. On the one side of the hawk there is a crescent, and on the other a star. *Circumscription*, S. Petri Morthingtoun.]

497. Charter by Adam of Baddeby, son and heir of Simon of Baddeby, to his brother Richard of the land which he has by inheritance from his said father in North (?Kirk) Lamberton, with remainder to his brothers and sisters, William and Roger, and Matilda and Margaret, c. 1300:—

Sciant presentes et futuri quod ego, Adam de Baddeby, filius et heres Simonis de Baddeby, dedi, concessi et hac presenti carta mea confirmavi Richardo, fratri meo, totam illam terram quam habui ex hereditate dicti Simonis, patris mei, in villa et territorio de Nort Lambirtoun: Tenendam et habendam de me et heredibus meis predicto Richardo et heredibus suis, vel suis assignatis, vel cuicunque dare et legare voluerit, cum omnibus suis pertinentiis, libertatibus et aysiamendis predictae terre pertinentibus vel pertinere valentibus infra villam de Lambirtoun et extra, adeo libere, quiete, plene, pacifice, sicut antedictus Simon, pater meus, dictam terram aliquando liberius, plenius, quocius tenuit vel possedit: Reddendo inde annuatim michi et heredibus meis unum denarium ad Pentecostem pro omni servicio seculari, auxilio, accione et demanda . . . faciendo inde forinsecum servicium quod pertinet ad dominum Regem et ad Priorem de Coldingham, racione predictae terre: Et si contingat quod dictus Richardus sine herede vel assignato in fatum discedat, volo et concedo quod Willelmus vel Rogerus, fratres, seu Matilda vel Margareta, sorores mei, vnumquemque post alium vel aliam habeant dictam terram cum omnibus pertinentiis, ut predictum est, et heredibus eorum de corpore eorum procreatis. Et ego vero Adam et heredes mei totam dictam terram dicto Richardo seu Rogero vel omnibus aliis prenominais et heredibus suis warantizabimus, acquietabimus et defendemus contra omnes homines et feminas. Et si forte dictam terram warandizare non poterimus valenciam tante terre dicto Richardo et heredibus suis et suis assignatis vel cuicunque dederit vel legaverit secundum estimacionem virorum fidedignorum restaurabimus. In cuius rei testimonium presenti carte sigillum meum apposui; hiis testibus, Domino Rogero, perpetuo vicario de Lambirtoun; Dominis Ada de Gordon, Henrico de Haliburtoun, militibus; Johanne de Baddeby; Henrico de Prendirgest; Rogero de Burndoun; Johanne de Aytoun, et aliis.

498. Charter by Roger of Baddeby to Simon of Murehouse of a bovate of land and others in Over Lamberton. Undated, but circa 1300.

Omnibus hanc cartam visuris vel audituris, Rogerus de Baddeby, salutem in Domino sempiternam. Noveritis me dedisse, concessisse ac titulo vendicionis tradidisse et hac presenti carta mea confirmasse Simoni de Morhouss unam bovatom terre cum tofto et crofto adjacente in villa et territorio de Lambertoun Superiore, cum omnimodo eorum pertinenciis; quamquidem bovatom terre tenui de Johanne de Rayntoun, domino eiusdem ville: Tenendam et habendam eidem Simoni et heredibus suis vel eorum assignatis de me et heredibus meis in feodo et hereditate inperpetuum, sine aliquo retinemento, in omnibus et per omnia et cum omnibus et singulis libertatibus, commoditatibus, aysiamenis et pertinenciis suis, tam non nominatis quam nominatis, ad dictam bovatom terre pertinentibus vel aliquo modo pertinere valentibus infuturum: Reddendo ipse Symon et heredes sui vel eorum assignati mihi et heredibus meis apud Lambertoun annuatim ad festum nativitate beati Johannis Baptiste pro omnibus terrenis serviciis et demandis que per me et heredes meos exigi poterunt seu requiri unam rosam nomine albe firme, tantum si petatur, et faciendo ipse Symon et heredes sui vel eorum assignati domino de Lambertoun predicto servicium debitum et consuetum: Ego vero Rogerus et heredes mei totam predictam bovatom terre cum tofto et crofto et cum omnibus eorum pertinenciis in omnibus, ut predictum est, eidem Simoni heredibus suis vel eorum assignatis contra omnes homines et feminas warantizabimus, acquietabimus et inperpetuum defendemus. In cuius rei testimonium, quia sigillum meum pluribus est incognitum, sigillum nobilis viri, Domini Henrici de Prendirgest, domini eodem, una cum sigillo meo presenti carte mee apponi procuravi; hiis testibus, Johanne, filio Walteri; Patricio de Dunbar; Willelmo de Ridall, domino de Flamyngtoun; Rogero de Lumysden; Gilberto de Lumysden, et multis aliis.

499. Charter by King Robert the Bruce, granting to Henry, called Cossar, the land in the holding of Over Lamberton, which William of Lamberton sold to Roger of Goswick, dated at Berwick on Tweed, 5th June (1318):—

Robertus, Dei gratia rex Scotorum, omnibus probis hominibus tocus terre sue, salutem: Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse Henrico dicto Coseur, dilecto et fideli nostro, totam illam terram cum pertinenciis in tenemento de Lambirtoun Superiori quam Willelmus de Lambirtoun vendidit Rogero de Gosewic: Tenendam et habendam eidem Henrico et heredibus suis de capitalibus dominis illius feodi in feodo et hereditate, per omnes rectas metas et divisas suas, libere, quiete, plenarie et honorifice, cum omnibus libertatibus, commoditatibus, aysiamenis et justis pertinenciis suis: Faciendo dictis capitalibus dominis dicte terre servicia de predicta terra cum pertinenciis debita et consueta. In cuius rei testimonium presenti carte nostre sigillum nostrum precipimus apponi, testibus, Bernardo, Abbate de Abirbrothoc, Cancellario nostro; Willelmo de Lyndesey, Camerario nostro; Jacobo, Domino de Duglas;

Alexandro Fraser; Roberto de Keth; et Alexandro de Setoun, militibus. Apud Bervicum super Twedam, quinto die Junij anno regni nostri tercio decimo. (This Charter is mentioned in Robertson's Index, p. 5, as one of those now missing from the Register of Crown grants.)

500. Charter by Robert of Renton, Lord of Lamberton, to his son James, with remainder to other two sons, of a tenement in Bruge. Dated at Haddington, 29th May 1407 :—

Omnibus hanc cartam visuris vel audituris Robertus de Rayntoun, dominus de Lamyrton, salutem in omnium Salvatore: Sciatis me dedisse, concessisse et hac presenti carta mea confirmasse Jacobo de Rayntoun, filio meo, illud tenementum meum cum pertinentiis, jacens in villa de Bruge, cum omne jure meo quod habeo, habui seu aliquo juris titulo habere potero in futurum, supra pontem beati Egidii, michi pro toto tempore vite mee salvo libero tenemento: Tenendum et habendum predictum tenementum post meum decessum, ut predictum, predicto Jacobo et heredibus suis de corpore suo legitime procreatis seu procreandis, quibus forte deficientibus, Thurbrando de Rayntoun, filio meo, et heredibus suis de corpore suo legitime procreatis seu procreandis, quibus forte deficientibus, Johanni de Rayntoun, filio meo et heredi, et heredibus suis quibuscunque, in feodo et hereditate imperpetuum, adeo libere, quiete, bene et in pace, integre, plenarie et honorifice, in omnibus et per omnia, sicut ego seu antecessores mei dictum tenementum cum pertinentiis tenui seu possedi, tenuerunt seu possiderunt, aliquo tempore retroacto: Reddendo inde annuatim dictus Jacobus et heredes sui et heredes talliati, ut supra, domino capitali dicti tenementi annuum redditum debitum et consuetum. In cujus rei testimonium, quod sigillum meum pluribus est incognitum, sigillum commune burgi de Hadyngtoun, quia amplioris testimonii magna cum instancia virorum proborum et nobilium amicorum meorum unacum sigillo meo apponi procuravi huic presenti carte mee, apud burgum predictum, vicesimo nono die mensis Maii anno Domini millesimo quadringentesimo septimo.

501. Instrument of Sasine, dated 30th October 1506, narrating that David Rantoun of Byllie went to the Mains of Lamberton and to the six merk lands of that town and gave sasine therein to his beloved wife, Elizabeth Lawder, in terms of his Charter granted to her thereupon; witnesses, William Rantoun, John Hwlde, John Ellem and Andrew Huld. Robert Young, M.A., priest of St. Andrew's diocese is notary. Signed also by DAVID RANTOUN de BILLE.

502. Tack by John, Commendator of Coldynghame, with consent of the convent thereof, for the utility and profit of the said abbey and "reddenes of gud service at all tymes doone to ws be our weil belovit Jhone Rantone, sone and apperand air to David Rantone of Bylle," to the said John Renton, and his heirs and assignees, of the teind sheaves of Lamberton town and mains, Ross, Crawisland, the Scheillis and Audynceraw, with their per-

tinents, within the barony of Coldynghame and sheriffdome of Berwick, for the term of nineteen years. Of these the said John and his said father are presently tacksmen, and have been so for many years past, and John's entry is to be at Lammas of the present year. The duty payable is estimated at the value of the present year's crop, viz. for Audynceraw, four bolls wheat, four bolls rye, eighteen bolls three firlots oats, and sixteen bolls and two firlots barley; for Lambertoun town and mains, one boll three firlots wheat, ten bolls barley, one boll rye, seventeen bolls oats; for Ross, one boll two firlots barley, four bolls two firlots oats; for Crawisland, one boll two firlots barley, three pecks rye, and three bolls three firlots oats; and for the Scheills, three bolls one firлот barley, and eight bolls oats, to be delivered yearly to the Commendator and his successors or their factors, the wheat and rye at Martinmas or St. Andrews day inclusive, the oats at Candlemas or Fastern's Even, and the barley at Easter (Pasche) or Beltane, inclusive. If during these terms the grain was offered and not taken, any damage accruing therefrom to it was to fall upon the Abbey. It is also provided that if through incursions of "our auld innemis or vtheris armies" the teind sheaves should be laid waste, or it be rendered impossible to labour the ground, any year in which such took place would not be reckoned as part of the term of the tack. Dated at the Abbey of Coldingham, 15th February 1558, and subscribed by JHON COMENDAT of COLDINGHAM; WLL⁹. LERMOCHT; WLL⁹. HUD, sub⁹or, GEORGIUS PYLMUR; JOHANES LWN; WILLE⁹ LERMONTH; BERTHOLOMEUS SCOTT. A fragment of the common seal is still affixed.

503. Instrument of Sasine, dated 5th June 1584, in favour of David Rentoun of Billie, in the lands of Lammertoun, four husband lands in the town and territory of Rentoun, and three and a half husband lands in West Restoun, in the barony of Coldingham and sheriffdom of Berwick; proceeding upon a precept of *Clare constat* by Francis, Earl of Bothwell, Lord Hales and Creychtoun, and Commendator of Coldingham, as superior, directing sasine to be given to the said David as heir of his father, the deceased John Rentoun of Billie, dated at Edinburgh, 28th May 1584, and witnessed by David Collace of Auchinferse, Mr. James Duram, Hercules Stewart of Quhytlaw, Captain William Rentoun, and Robert Rentoun. Among the witnesses to the sasine are David Neisbet in Lammertoun Scheills, and John Air and William Bagarna in Lammertoun; David Craig being notary.

504. Tack by Francis, Earl of Bothwell, Lord Creichtoun and Hales, Commendator of the Abbacie of Coldingham, to David Renton of Billie, and Margaret Collace, his future spouse, of the teind sheaves of the kirk and parish of Lambertoun, with the vicarage, manse, gleib, and all small teinds and pertinents, presently possessed by the said David or his predecessors in the barony of Coldingham; also the teind sheaves of Auchinceraw in the said barony, extending in all to six chalders of victual; for

the space of nineteen years, paying yearly 10s. for each boll of the said victual; dated at Balmamone and Coldingham 15—(*circa* 1584); witnesses, Robert Earskyn, friar of Downyn, Robert Hepburn, parson of Hauch; Robert Rentoun, brother german of the Laird of Billie, and Mr. Andrew Elder, notary. (Signed) FRANCES COMMENDATO^r off COLDINGHAM and DENE GEORGE ACHESONE.

505. Letters of Reversion by William Dowglas of Iwlie in favour of David Rentoun of Billie, who, with consent of Margaret Collace, his wife, has disposed to him for 4,000 merks, the lands of Lammertoun Seheillis, with the mill, mill lands and pertinents thereof; promising that upon repayment after forty days' warning of this sum to him within the parish kirk of Boncle, he will restore these lands to them; date not filled in save 160—; witnesses, Mr. John Clapperton, minister in Lanell, William Lindsay in Lintlaw, Adam Turnbull there, George Sprott in Eymouth, and George Thomsone, notary in Duns.

506. Precept from Chancery for infetting John Renton now of Billie, as heir to David Renton of Billie, his father, in the Mains of Lammertoun, the town and lands of Lammertoun, the lands of Scheillis and mill thereof, the lands of Crawisland, the lands of Ross with the fishing, and the lands of Hungorhous and Abchester, called the barony of Lammertoun, extending to ten husband lands, lying in the barony of Coldingham. They have been in nonentry for eleven years past. Dated at Edinburgh, 3rd July 1616.

507. Precept from Chancery for infetting John Renton as heir to his brother german, Robert Renton, eldest lawful son to John Renton of Scheillis, in the half of the lands of Lamerton and Lamerton Scheillis with the teinds of the lands of Lamerton, dated at Edinburgh, 16th June 1625. The lands have been in nonentry for about ten years.

508. Signature for a charter to be made under the great seal to James Renton, lawful son of the deceased John Renton of Billie, and his heirs and assignees, of the lands of Lambertoune, the lands and mill of Scheils, the lands of Crawisland, the lands and fishing of Ross, and the lands of Hungriehous and Abchester, called the barony of Lambertoun, comprehending therein the whole parish of Lambertoun, in the barony of Coldingham; also of three and a half husband lands in West Restoun, the lands called Nunmeadow and Nunbutts in the town of Adincraw, and the lands called Nufflatt in the Mains of Billie, which belonged to John Renton of Billie, held by him of the Crown, but were apprised from him. The signature is dated 1631; the composition is marked as 20*l.*, and it is signed by the following members of the Privy Council: GEO. CANCELLARIUS, HADINTOUNE, LINLITHGOW, TRAQUAIR, ARCH. ATCHESONE, J. HAMILTOUNE, and SR. THOMAS HOUPÉ. In the Sasine given to James Renton of these lands of 25th February 1631, the precept and charter are said to be dated 25th January 1631, and to erect them into the barony

of Lamberton. The witnesses to the Sasine are John Rentoun, portioner of Audincraw, William Pringill, lawful son to the deceased William Pringill of Colligarrie, John Rentoun, indweller in the town of Preston, and George Bagarnay in Lamarton; George Todrig, clerk of St. Andrew's diocese, being notary.

9. PAXTON.

509. Charter by John, Prior of Coldingham, and the convent thereof, to Cuthbert Ramsey, Captain of Crichtoun, and Lady Agnes Stewart, Countess of Bothuile, his spouse, and their lawful children, whom failing, the heirs and assignees of the said Cuthbert Ramsey, of the fourth part of one third of the lands at Paxtoun, with the fishings and pertinents thereof, which belonged to Robert Atkinsoun, son and heir of the deceased Henry Atkinsoun of Sleichhouses, and was resigned by him in their hands; to be held feu for payment of 5s. yearly, and duplication thereof at entry of heirs; dated at the monastery of Coldingham, 12th April 1557. Signed by the Prior and some of the convent. Sasine was taken upon the above on 15th April 1557. The progress of titles of these lands in the hands of the Ramseys include: (1) A Charter by Cuthbert Ramsey, burgess of Edinburgh, to William Ramsey in Newbottill and Helen Arras, his wife; dated at Edinburgh 1st February 1581-2, and attested by William Ramsey, burgess of Edinburgh, brother german of the granter, John Ramsey, indweller at the West Port of Edinburgh and others; (2) Instrument of Sasine thereon dated 21st April 1582, given by John Ramsey, servitor of Alexander Ramsey, parson of Foulden, as bailie, to George Broun, servitor and attorney of the said William Ramsey; witnesses, William Lauder of Eddrington, William Paxstoun *alias* Laird Paxstoun, Mathew Hendersoun, John and Andrew Wilson in the town of Paxstoun, and David Watson in Foulden; Robert Gairdner, clerk of the diocese of Glasgow, being notary. (3) Instrument of Sasine, dated 8th June 1611, of George Ramsay, eldest son and heir apparent of William Ramsay of Nunlands, and Mariota Fawsyde, lawful daughter of Mr. Robert Fawsyde of that Ilk, his future spouse, in these lands in terms of their Contract of Marriage and Charter thereof of the same date, at Foulden, in which Helen Arras, mother of the said George, James Fawside, fiar of that Ilk, son of the said Mr. Robert, and Sir John Cokburn of Ormiston, knight, are consenting parties; while among the witnesses are Mr. Tobia Ramsay, parson and minister at Foulden, Nicolas Ramsay in Foulden, Andrew Gowrie, John Purves, and David Ramsay there, and Mr. Alexander Lauson, notary in Edinburgh. Sasine was given by Robert Symontoun in Paxtoun as bailie to George Ramsey in person and to Tobias Gibsoun in Auld Fouldoun as attorney for Mariota Fawsyde; witnesses, John Bauld, Alexander Hoggart, George Broun and Water, son of Archibald Water in Paxtoun. These lands were acquired by Patrick Home of Billie from Alexander Ramsey of Nunlands on 14th July 1766.

510. Instrument of Sasine, dated 4th October 1561, in favour of David Home, son and heir apparent of Andrew Home of Nynwells, in four rigs and a cottage of land on the north side of Paxtoun within the barony of Coldingham; proceeding upon a precept by John, Commendator of Coldingham, dated at Coldingham, 20th September 1561. Sasine was given by Patrick Home, bailie depute of Alexander, Earl of Home, bailie of Coldingham; witnesses, John and Alexander Home, and John Wilson; Archibald Rantoun being notary.

511. Charter by George Ogilvy of Dunlugus to David Hume of Nynwells and Isobella Hume, his spouse, and their heirs, of his lands of Paxtoun, extending to twelve merks of land, with portion of a fishing upon the water of Tweed, within the barony of Coldingham and shire of Berwick; to be held of the granter feu for payment of the old rent of 16*l.*, and 4*l.* of augmentation, with the customary services; dated at Edinburgh, 10th October 1576. The Instrument of Sasine is dated two days later, and bears that infettment was given by George Kar in Hutoun, as bailie, to David Hume in person and to William Hume in Hutoun as attorney for Isabella Hume; witnesses, John Hume, brother german of the said William Hume, John Nisbet of Swannisfeild, John Hume, brother german of the said David Hume, and John Wilson in Paxtoun; John Uchiltrie, clerk of St. Andrew's diocese, being notary.

512. Instrument of Sasine, dated 22nd May 1578, in favour of Bartholomew Quhytlaw in Paxtoun, in that husband land in Paxtoun formerly occupied by his predecessors and now by himself; proceeding upon a charter by Robert Logan of Restalrig, dated at Fastcastle, 15th May 1578. William Craik, as bailie, gives sasine; witnesses, Thomas Ellenschaw, Roland Broun, Peter Tailzefer, William Stirling, Andrew Wilson, and John Paxtoun, all inhabitants of the town of Paxtoun, and James Ros, reader at Hornden. On the same day the said Bartholomew Whitelaw granted a charter of this husband land to his wife, Helen Cockburn, in liferent, to which, having no seal of his own, he obtained that of William Gray (now wanting).

513. Precept of *Clare constat* by Sir George Home of Wedderburn, directed to David Nisbet, to give sasine to Henry Quhytlaw, as son and heir of Bartholomew Quhytlaw, in a husband land in Paxtoun, and in two onsteads there, one of which is bounded by the lands occupied by William Paxtoun on the west and those of James Evit on the east, and the other, which lies on the north side of the town, by the lands of David Home on the west, and those of the said William Paxtoun and Cuthbert Ramsey on the east. The husband land is situated on the west of the said town of Paxtoun called Kellies Yett. The precept is dated at Wedderburn, 20th December 1599; witnesses, Alexander Broun, one of the bailies of the burgh of Eymouth, Thomas Hude there, and Umphra Wilson and John Horne, also there. The granter's seal is appended. Sasine followed hereon upon 15th January 1600.

514. Charter by William Ramsey in Newbottill and Helen Arras, his spouse, to Archibald Watter in Paxtoun and Janet Peddie, his spouse, of the half of his fourth of the one third of the lands of Paxtoun, presently possessed by them; to be held blench of the granter, and feu of the King in place of the Commendator of Coldingham, for payment of the stipulated feu in the granter's charter; dated at Newbottle, 6th January, 1602; witnesses, Robert Roull of Peillwallis, Abraham Henrysone, and others. The Instrument of Sasine following hereon is witnessed by Thobias Ramsay, minister at Foulden, Philip Nisbit, portioner of Paxtoun, John Mure there, John Duddestoun there, and Abraham Henrysone, servitor of the said William Ramsay.

515. Instrument of Sasine, dated 1st April 1605, in favour of John Paxtoun as heir of his father, the deceased David Paxtoun in Auchincraw, in one and a half husband lands, extending to three merks of land in the town and territory of Paxtoun, proceeding upon a precept of *Clare constat* by Sir George Home of Wedderburn, knight, dated at Wedderburn, 3rd April 1605; witnesses, David Nisbet in Kymergham Mylne, John Dunse, portioner of Growaldydis, and John Dewar, notary. James Strang, son of John Strang in Hiltoun, is bailie for giving sasine, and Thomas Robertsoun, Thomas Broun, Thomas Maw and John Dykes, inhabitants of the town of Paxtoun are witnesses.

516. Instrument of Sasine, dated 19th December 1605, in favour of James Nisbet, son and heir apparent of the deceased Adam Nisbet in Paxtoun, who was brother german of Philip Nisbet of Swansfield, in four merks of land in Paxtoun, of which two lie in the Nether Raw, and were occupied by the deceased James Evet, and the other two in the Over Raw, and were occupied by the deceased John Wilson, proceeding on a precept of *Clare constat* by George Home of Wedderburn, knight, dated at Wedderburn, 9th December 1605, and attested by David Nisbet in the town of Kymerghame, Mr. Henry Stirling, brother german of William Stirling, younger of Ardoch, David Houme in Wedderburn and John Dewar, notary. David Nisbet, in the Mill of Kimmerghame gives sasine; witnesses, Thomas Nisbet in Spittell, David Nisbet in Kymergham, his brother german, Philip Nisbet of Swansfeild, John Bauld in Paxtoun and Alexander Hoggart there.

517. Rental Right whereby John Home of Nynwells, having been served heir to the deceased David Home of Nynwells, his brother, with consent of Andrew Home of Beapark, his eldest lawful son and heir, receives Alexander Hogart, lawful son and apparent heir to the deceased John Hogart in Paxtoun, as rentaller and native and kindly tenant in that husband or two-merk land in the town and territory of Paxtoun, presently possessed by Isobel Home, his mother, her liferent therein being reserved; for payment yearly by her during her lifetime, and after her death by the said Alexander and his heirs, of two bolls barley,

three bolls oats, four bolls of coals and two hens on Fastings Even, with the customary services, and the heirs at entry paying 20*l.*; dated at Chirnsyd and Spittell, 10th and 16th March 1606; witnesses, Mr. David Home, minister at Grenelaw and Nicol Home, his brother, sons to the said John Home, John Home, his cousin, and Timothy Rouchlaw, notary. On 20th February 1611 Alexander Hogart disponed these lands to his loving friend, Thomas Nisbet in Paxtoun, the disposition being made at Nynewells; witnesses, William Spence of West Mains of Chirnside, Nicol Home of Beapark, John Purves of Purveshanch, Robert Renton in Retragait, and Timothe Rouchlaw, notary. John Home of Nynewells and his son Andrew sign in token of their consent.

518. Precept of *Clare constat* by David Home of Wedderburn, baron of Horndean, in favour of David Home, as grandson and heir of the deceased John Home of Nynewells, for infesting him in the three merk lands of Paxtoun, of which two were occupied by the deceased Barbara Walker, widow of John Wilson, and the other by Thomas Wilson, and formerly held of Robert Logan of Restalrig; and also in the Ringnet stand and fishing of Paxtoun on the Water of Tweed, called Finschhauch; dated at the manor of Polwart, 31st May 1617; witnesses, John Dewar, notary in Duncce, John Home, the granter's servant, and Thomas Home, son of George Home of Cramecruik. The Instrument of Sasine following thereon is dated 22nd December 1629, when sasine is also taken in twelve merks of land in Paxtoun, on a similar precept of the date of the above.

519. Charter by Sir David Home of Wedderburn, knight, to Mr. Alexander Kynneir, minister and rector of Quhitsum, and his heirs and assignees, of these lands lying in the town and territory of Paxtoun which formerly belonged to Margaret Nisbet, wife of James Kellie, as heir of the deceased John Nisbet, portioner of Paxtoun, her brother, extending to sixteen merks of land and one third part of the said town, being eight husband lands, with the salmon fishings upon the Tweed belonging thereto, commonly called the Twenty merk Fishing of Finsehaw, with four acres of arable land in the Shot called the Tounsteids, being also part thereof, in the barony of Coldingham; all which were appraised from the said Margaret Nisbet and her husband on 10th February 1623 by the deceased Mr. Samuel Home of Newmaynes, and disposed by him to the said Mr. Alexander Kynneir in August 1625, the fishings having been separately disposed by the said Margaret to the said Samuel and redispensed by him as above; to be held of the granter for payment of the usual services; dated at Edinburgh, 21st December 1627; witnesses, Robert Hamilton, brother german of Sir John Hamilton of Preston, knight, Gilbert Johnstone, son of Mr. John Johnstone, brother german to the Laird of Elphinstone, Mr. Alexander Kynneir, servitor to Mr. Francis Hay, W.S. and others. Sasine thereon was given on 13th August 1628 by James Home of Quhitsumhill, as bailie; witnesses, Mr. Alexander Davidson,

portioner of Upsetlington, George Ellem, portioner of Paxtoun, James Elliot, servitor of Thomas Nisbet, portioner there, and Patrick Water, indweller there ; George Stewart being notary.

520. Precept by Richard Cromwell, Lord Protector of the Commonwealth of England, Scotland and Ireland, and dominions thereto belonging, directed to Home of Wedderburn, to gave sasine to Captain John Kellie, son of the deceased Margaret Nisbet, widow of James Kellie, portioner of Coldingham, in the sixteen merk lands in the territory of Paxtoun, the twenty merk fishing on the Water of Tweed, the five merk and cottage land in town and territory of Lethame, and the sixteen merk land in Auchincraw, with pertinents, in which his said mother died last infest ; dated at Edinburgh, 7th April 1659.

10. RESTON, EASTER and WESTER.

521. Letters of Reversion by John of Aldincraw, dwelling in the town of Aytoun, in favour of Sir Patrick Hepburn, Lord Halis, of the two husband lands in East Reston which Sir Patrick has sold to him, on payment of 40 merks Scots on the high altar of the parish church of Aytoun, and receiving a seven years' lease thereof ; dated at Halis, 6th July 1469 ; witnesses, Sir Thomas Fermour, vicar of Quhittinghame, Adam of Quhytlaw, Sir Patrick Hall, chaplain, Alexander Clerk, notary, and Philip Quhytheid.

522. Contract dated at Billy, 10th February 1570, between John Raintoun of Billy, on the one part, and David Ellem of Raintoun and Gilbert Ellem, his brother german, on the other part, for the exchange of John Renton's four husband lands in the town and territory of Renton, presently occupied by Ninian Raintoun, Robert Utherstoun, and Thomas Turnbull, tenants thereof, in the barony of Coldingham, and held by him blench of the Commendator and Convent of Coldingham, for the four husband lands belonging to the said David and Gilbert Ellem in West Reston, presently occupied by Thomas Simpson, Thomas Glengavel and William Marnis, their tenants, and held by them for service of ward and relief from the said Commendator and Convent. The exchange would be more commodious and profitable to both parties, but as the holdings are different it is conditioned that so often as the said four husband lands in West Reston shall fall in ward, the Ellems and their heirs shall purchase the gift of the ward and relief to John Renton and his heirs ; or if that cannot be obtained then he and his heirs shall have regress to the four husband lands in Renton during the period of the ward. Among the witnesses is David Raintoun, son and apparent heir of John Raintoun of Billy. This document is signed only by the Ellems.—DAVID ELLEM of RANTOUN wth my hand, GILBERT ELLEM wth my hand.

523. Charter by Robert Logan of Restalrig to Patrick Auchincraw and his heirs and assignees of a husband land in

East Reston presently occupied by him; to be held in feu for payment annually of 26*s.* 8*d.* to the granter and his heirs, with duplication at entry of heirs, three attendances at the head court, and military service when required. Dated at Fast Castle, 25th August 1577; witnesses, Walter Logan, George Auchincraw and John Auchincraw, Andrew Charteris and James Spens, the granter's servants.

524. Charter by Patrick Auchincraw in East Reston to Patrick Auchincraw, his eldest son, and his heirs male, of the half of two husband lands in East Reston occupied by him, to be held of Patrick Ogilvy of Dunlugus for payment of 26*s.* 8*d.* yearly. This charter is made in fulfilment of an agreement between the granter and his deceased father-in-law, Patrick Auchincraw, and for payment to the grantee of that part of goods due to him by the death of Elizabeth Auchincraw, the granter's wife. The charter is dated at East Reston, 6th November 1584, and signed, PATREK AUCHINCRAW, wy^t. my hand. There is an Instrument of Sasine imperfectly dated (only 158 —) in terms of which Patrick Auchincraw, portioner in East Reston, gave sasine to Patrick Auchincraw, his natural son, in two husband lands in the territory of East Reston, one of which is held from George Ogilvie of Dunlagus and the other from Robert Logan of Restalrig, lying in the barony of Coldingham. Among the witnesses is Robert Auchincraw, son of James Auchincraw of Gunnisgrene, and David Craig is notary.

525. Charter of confirmation by Sir George Ogilvie of Dunlugus of a charter granted by Patrick Auchincraw in East Reston, to his eldest son, Patrick Auchincraw, of the half of two husband lands in East Reston occupied by him, dated at Renton, 6th November 1584, and which is said to have been made in terms of a contract with his father-in-law, Patrick Auchincraw, and in satisfaction of that part of his goods which were due by the death of Elizabeth Auchincraw, his wife, to their said son Patrick. The charter of confirmation is dated at Edinburgh, 26th January 1592; witnesses, Andrew Home, apparent of Nynehollis; William Auchincraw, portioner of Swynewood, and Walter Dunbar, servitor to the granter.

526. Notarial Instrument of the redemption from John Tod in East Reston by Patrick Auchincraw, younger, there, who has paid to him 300 merks, of the said Patrick's husband land with pertinents in East Reston which he holds of George Ogilvie of Dunlugus and which was wadset to the said John Tod by the said Patrick Auchincraw, with consent of Margaret Horsburgh, his spouse. This took place in the house of the said John Tod, there being present Patrick Auchincraw, senior, father of the said Patrick; James Auchincraw, senior in Swynewood, Lawrence Neilsone, schoolmaster in East Reston, and George Tod, brother german of the said John. Dated 23 May 1593.

527. Contract of Excambion dated at Billie, 1st January 1605, whereby David Renton of Billie, with consent of Margaret Collace,

his wife, agrees to infest Nicol Paxtoun in West Reston and Elizabeth Auchincraw, his wife, and their heirs, in six of his eight husband lands in West Reston, and to feu to them the other two for the yearly payment of 26s. 8d., in exchange for the infestment of them and their heirs in Paxton's six husband lands and two cotlands in Auchincraw; witnesses, Robert Renton, brother german of the said David, John Fowler in Billie, John Paxtoun, lawful son of the said Nicol, and Robert Collace, lawful son of Walter Collace in Eymouth. Signed by the parties and witnesses.

528. Precept of *Clare constat* by George Home, fiar of Wedderburn, with consent of Sir David Home his father, in favour of Mr. Patrick Smyth, as heir to his mother, Janet Auchincraw, wife of Mr. Alexander Smyth, minister of the Word of God at Chirnside, in the half of the half of two husband lands in West Restoun formerly occupied by John Auchincraw and now by Alexander Home of Prendergest, and also in the half of the half of two cottage lands there, likewise possessed by the said Alexander Home, within the barony of Eymouth by annexatioun; dated at Wedderburn, 17th April 1647; witnesses, David Home of Crocerig, Mr. Patrick Home in Manderstoun, and John Dewar, notary in Duns. There is an obligation by the said Mr. Patrick Smyth, eldest lawful son of the said deceased Mr. Alexander Smyth, dated 7 April 1649, to the effect that as the said George Home is to infest him as heir to his said mother in half a husband land and half a cotland in West Restoun, now possessed by James Waidall, he will grant no tacks of any part thereof without his superior's permission.

11. SHEILLUPDYKES.

529. Letter of Reversion by James Auchincraw in Swynwood, in which he narrates that George Paxtoun, franktenementar of Scheilupydykis, and Thomas Paxtoun, his son, had sold to him and his heirs an annual rent of 10l., upliftable from their lands of Scheilupydykis, and promises that upon their repayment to him of 100l., after due warning, "upone ane stuill before the pulpett" within the parish church of Coldingham, he will resign the same in their favour; dated on the ground of the said lands, 23rd October 1578; witnesses, Mungo Broun, Andro Johnstoun in Swanisfeild, Patrick Wardlaw, portioner in West Reston, and John Jameson, servitor of the said George Paxtoun. The granter cannot write and subscribes with the aid of William Lamb, notary, but he appends his seal—a shield bearing a saltire with a crescent in base.

530. Contract of Wadset by Sir David Home of Wedderburn, knight, to John Paxton, portioner of Adincraw, called Easter John, disposing to him under reversion for 500l. Scots the lands of Scheilupydykes in the parish of Coldingham, and barony of Hornden by annexation; to be held blench; dated at Polwart Place, 26th June 1619; witnesses, David Nisbet in Kymmerghame, David Nisbet at Kymmerghame Mill, and John Dewar, notary.

12. SWYNEWOOD.

531. Feu Charter by Adam, prior of the Monastery of Coldingham, and his convent, to William Home of Lochtullo, of the sixteen husband lands of Swinewood, the four husband lands of Quhytefeild, the two husband lands in Eyemouth, now occupied by John Lorymere and John his son, other two husband lands there, occupied by William Aldincraw, the five husband lands of Rekilsyde occupied by Gilbert Hume, and one husband land there occupied by Edward Hume, all within the barony of Coldingham; to be held by him for payment of the yearly feuduty of 23*l.* 13*s.* Scots, with three attendances at the head courts of Coldingham and other customary services; dated at Coldingham, 16th July 1537. Signed by the prior and convent.

532. Notarial copy, dated 11th April 1663, of an Instrument of Sasine, dated 17th August 1557, in favour of Alexander Hume, grandson of William Hume of Prendergaist, and Libra Hamilton, natural daughter of Mathew Hamilton of Mylburne (to her only in liferent), in six husband lands in Ricklesyde, four husband lands in Eyemouth, sixteen husband lands in Swyne-wood, and four husband lands in Whyteford; proceeding upon a charter by John, prior of Coldingham, dated at the Monastery thereof, 11th August 1507 (*sic*, *l.* 1557), which contains a precept directed to Andrew Hume, lawful son of William Hume of Prendergaist, and reserves the liferent of the said William. Among the witnesses to the sasine are Gilbert Hume in Rickelsyde, Alexander and John, his lawful sons, and Philip Auchincraw, lawful son to Patrick Auchincraw in Swonwod.

533. Charter by Alexander Home of Prendergaist, with consent of Libra Robertson, his wife, selling to William Auchincraw, burgess of Dunbar, his tenement or cottage of land called the Hewcheheid, where Patrick Auchincraw, father of the said William lives, and which is bounded thus—by the water on the east side of the said tenement, ascending the hill by the wall as far as the messuage, leaving the messuage itself and the onsteid which George Home, the granter's uncle, presently occupies, and going northwards as far as the highway called the Common Grene, then descending westwards by the same way where the water falls into the river, then descending by the strand as far as the river, keeping the river itself always on the south; lying in the town and territory of Swounwood and barony of Coldingham; to be held of the granter blench for payment of 4*d.* yearly if asked; dated at Prendergaist, 29th April 1562; witnesses, Alexander Auchincraw in Nether Aitoun, Patrick Auchincraw, son of David Auchincraw in Aitoun, William Home, the granter's brother, and others. (*Signed*) ALEXANDER HUME of PRANDERGEST, v^t my hand. Libra Robertson signs by the aid of William Lamb, notary, as she cannot write. The seal of the granter is affixed.

534. Tack by William Home, son and heir of the deceased Alexander Home of Prandergaist, feufarmer of the five and a

half husband lands occupied by William Auchincraw in Swinewod and James Auchincraw, his brother, with consent of William Home, brother german of George Home of Aytoun, John Hamilton of the Grange, and James Hamilton of Kingswell, his curators, and of Libra Robertson, his mother, lady terciar of the said lands, to the said William Auchincraw, whom failing, to his son, William Auchincraw, and his heirs, of the two husband lands which the said William Auchincraw and his predecessors have occupied for many years; to be held for nineteen years for payment to the granter for each husband land yearly of 20s. and four kain fowls; dated at Eyemouth, 24th May 1577; one witness being Patrick Home, brother german of the said George Home of Aytoun. (*Signed*) WILLIAM HOME with my hand; Wm. HOME broyr to the Laird of Atone, curato^r forsaid and spouse to ye said Lybra, JHONE HAMYLTON off Grange, w^t my hand, curato^r, PATRIK HOME, witnes my hand. Libra Robertson signs by the help of William Lamb, the notary.

535. Charter by Robert Logan of Restalrig to William Auchincraw, elder in Swonwode, and his heirs and assignees, of half of the four husband lands in Swonwod now occupied by the said William; to be held feu for the yearly payment of 43s. and attendances at three head courts with the other customary services; dated at Fastcastell, 17th May 1578; witnesses, Walter Logane, Andrew Charters, James Hepburn, and John Gray, household servants of the granter, William Auchincraw, son to James Auchincraw in Swynewode, and William Lamb, minister of Coldingham. (*Signed*) ROBERT LOGANE of RASTALRIGE.

536. Notarial copy dated at Edinburgh 11th April 1663, of an Instrument of Sasine dated 10th April 1587, in favour of William Home, son and heir apparent of the deceased Alexander Home of Prandergaist, in sixteen and a half husband lands, five cottage lands and four husband lands in Swynewood, four husband lands in Wester Quhitfield, six husband lands in the Ricklesyde of Coldingham, the Coill Mill of Coldingham and six husband lands with the Grain Mill in Eyemouth; proceeding upon a precept of Sasine by Francis, Commendator of Coldingham, dated at Holyrood House, and Coldingham, 7th and 9th April 1587. Robert Ellem in Rentoun gives sasine, and the witnesses are George Craw in East Reston, David Craw in Gunsgreen and Alexander Cuik, writer.

537. Procuratory of Resignation by William Home, son and heir of the deceased William Home of Swynewode, appointing Robert Douglas, servitor to Alexander, Earl of Home, as his procurator, to make resignation in the hands of the said Earl, as his superior, of the sixteen husband lands of Swynewode, with manor place, corn mill, buildings erected by his said father, and other pertinents; also the four husband lands of Quhytfeild, the six husband lands of Rikilsyd of Coldingham, the corn mill of Coldingham called Coilmylne with all pertinents and thirlage of all the lands of Coldingham, also the corn mill of Eymouth

with all pertinents and thirlage of all the town and lands of Eymouth, all in the barony of Coldinghame and sheriffdome of Berwick, in favour of and to remain with the said Earl of Home as his proper heritage; dated at Dunglas, 28th June 1613; witnesses, Robert Home of Fairnysyd, Patrick Reidpeth, indweller in Berwick, and Robert Inglis and Alexander Mitchelsoun, servitors to the said Earl.

538. Contract of Wadset, dated at Aytoun, 1st April 1630, between James Craw of Quhitfield, and Peter Home in Aytoun and Elizabeth Craw his spouse, in which it is narrated that on the death of Patrick Craw "above the Gate of Swynewode" as he was styled during his life, his lands fell to his two sisters as his heirs, the one of whom, Elizabeth, married the said Peter Home, and the other, Jean, married Mr. Alexander Smith, minister at Chirnside. Both sisters and their husbands wadset three and a half husband lands with pertinents in the town and territory of Swynewode and barony of Coldingham to the said James Craw for 2,500 merks, but Mr. Alexander Smith and Jean Craw had redeemed their half, and the other is still unredeemed. Moreover the said Peter Home and Elizabeth Craw have also wadset to the said James Craw for 200 merks their fourth part of a coat land in West Reston, which also belonged to the said Craw, and on accounting between them it is found that Peter Home and Elspeth Craw are now due in all to the said James Craw 1,584 merks, for which sum they now of new wadset to him their half of the three and a half husband lands which are presently possessed by the said James Craw and Patrick Purves, his tenants, and the said fourth part of the coat land in West Reston, last possessed by the said Peter Home and James Craw, and promise to grant him charter and sasine thereof to be held of them under their superior blench, redeemable for payment of 1,384 (*sic*) merks. Witnesses, James Craw, portioner of Flemingtoun, John Hoggart in Aytoun, Alexander Flint, lawful son to the deceased Alexander Flint in Aytoun, George Todrig, notary in Aytoun, and Robert Pow, notary in Eymouth.

III. WRITS RELATING TO VARIOUS LANDS AND FAMILIES.

1. HOME, and the EARLS OF HOME.

539. Presentation by Agnes Stewart, Countess of Bothuile and Lady of Huym, also Lady of the liferent of Dunglas, with consent of Cuthbert Ramsay, her present spouse, of Sir Hugh Hudson, chaplain of the diocese of St. Andrews, to a prebend of the Collegiate Church of Dunglas, with the lands of the half of Nether Upsatlingtoun and the waters running there, and the pertinents incorporated therewith, which has become vacant, through the demission of Sir Thomas Hudson, last prebendary and possessor thereof. Command is given to Mr. Abraham Crechtoun, provost of the Collegiate Church of Dunglas, to install and place the said Sir Hugh in possession of the said prebend and pertinents, with the manse and garden thereto belonging,

taking his oath, as is customary, by touching the holy gospels of God, to observe the statutes and customs of the Church; dated at Crechtoun, 20th March 1556; witnesses, Sir John Froster, prebendary of the said Church of Dunglas, Sir John Fraser, chaplain, and others. Signed by CUTHBERT RAMSAY; and the seals of him and of the Countess are appended, his, bearing a shield, with a eagle displayed, and her seal bearing a lion rampant on a shield within a border. On the back it is noted that on 5th April 1556, about 8 a.m. in the Church of Dunglas, Sir William Mustard, prebendary thereof and presiding in the Chapel for the time, gave admission to the said Sir Hugh Hudsoun by tendering to him the bible and taking his oath; witnesses, Sir Nicholas Michelsone, Thomas Hendersone, Edward Singelar *alias* Walcar, James Daw and William Robesone.

540. Latter will of Alexander, Lord Home:—At Edinburgh the day of the yeir of God j^m v^e threscoir fyvetene yeiris, I, Alexander, Loird Hume, being vesiit be the heavy hand of God with greit infirmitie, sair seik in my persoune, haill in spreit and mynde and of perfyte remembrance, considering all men to be mortall, the hour and tyme uncertane, bot maist apperand to the jugement of man and be the feiling of my awin diseise that my dayis wilbe schort, thairfoir remembering my dewitie I thocht necessar to leif this to be my latter will, counsell and command to my lauchfull sone, Alexander, to my eldest lauchfull dochter borne of my first wyff, and to my naturall sone, Maister Johnne Hwme, that quhen God sall woutchaif that my lauchfull barnes sall cum to maturitie of aige that this my latter will salbe fulfillit be thame, as thai will obtene the blissing of me, thair fader, and as thai wald have joy of thair awin childrene, gif Goddis plesour be to send thame ony. In the first be this my latter will I counsall and command ye, my sone Alexander, insafar as I have ane fatherlie power and for my blissing, that you in all tymeis cuming during the tyme of thy lyife and thy motheris use her counsall, be governit be hir in all thy proceedingis, quha, I dowt nocht, wilbe ane guid counsalour to ye in all thy honest and just proceedingis, and as thow wald that my blissing suld beild thy house to the pleasour of Almychtie God, the comfort of all honest and trew freindis, and to the weifair and stabilitie of thy posteritie to cum, that thow swerwe nocht fra the counsall of thy naturall moder for ony sinister counsall may happin be gevin ye. Forther, I counsall and command ye, my sone Alexander, be this my latter will that thow use the counsall of the Lairdis of Weddirburne, Aytoun, and Reidbrayis, quha ar men of oure name baith honest and trew, and I dowt nocht that be thair lawtie, honestie and luif that thay beir and hes borne to our house at all tymeis that thai wilbe laith to sie ye my sone or that house utterly perische. Attoure, I counsall and command ye, my sone Alexander, that yow keip sic luif, amitie and freindschip with my brother, the Laird of Cesfurd, eftir my departure as was keipit betuix him and me induring the terme of my lyife, for greittar nor trewar lauchfull and honest luif culd nocht stand betuix brether nor hes continewit

betuix him and me to this houre, quhilk is be apperance my latter dayis ; and also I counsall and command ye that thow keip luif, amitie and freindschip with all the rest of oure name and all utheris trew freindis and servandis that hes schawin ony freindschip, kyndnes and trew service to me in ony tymeis past and be ane protectour and defendar of thame eftir thy power, exceptand and reservand samony of oure name as hes bene manifest offendaris and trublaris of me and our pure decayit house, quhilk God of his mercy may restoir be thy just dealing and guid service to thy Prince and majestrattis and be the following of thy moder and honest trew foirnemmit freindis counsall. The nameis of the troublaris of me and our pur decayit house ar sa notoure that thay mister nocht be mentionat, bot thair wraikfull deidis to me and thair greedy appetiteis that thai have borne in putting hand in my possessiones and geir will beir recoird of thair evill will and mak thair nameis to be knawin. Item, I counsall and command the, my eldest lauchfull dochter borne of my first wyfe, that as thow will obtene my blissing use the counsall of my wyfe, thy moder in law, the Lairdis of Weddirburne, Aytoun and Reidbrayis, in all thy proceedingis, and in speciall in thy mariage that thow use the counsall of my Lord Regentis Grace togidder with the counsall of my wyfe and foirnemmit freindis, that thow nowther contract nor maryl with any persone nor allya bot with awise and consent of my Lord Regentis Grace and at the sycht of my wyfe and foirsaidis freindis, and as thai sall think guid ; for it is my latter will the proceedingis of thy mariage sall redound to the comfort of my sone Alexander and our house ; swa you, my dochter, usand this my command, counsall and latter will, thow salhave with my blissing at the completing of thy mariage that profit that I have causit ye be infest in, and my blissing being joint with the blessing of Almychtie God sall beild ye ane precious duelling place in this world and efter in the world to cum. Forther to ye, my sone Alexander, it is my latter will and I command ye, for the reward of God and insafar as I have ane fatherly power, that thow be ane obedient sone to thy mother and offend hir nocht induring the terme of hir lyfe, but in thy minoritie of yeiris and les aige be rewlit, gydit and governit be hir counsall ; and gif God fortwneis to prolong thy dayis that thou cum to maturitie of yeiris and rypenes of wit and discretioun that as thou will serve the blissingis that I gif ye now and will that Almychtie God conferme the same be his blissit benedictioun, that thow wilbe ane manteinar and defendar of thy mother in all hir just and honest proceedingis and be ane stalf to hir under God in hir aige, gif God permittis hir to cum to thai yeiris. Doing thir thingis quhilkis I leif in my latter will thow schawis thy self ane obedient servand to God and ane guid naturall sone to ws thy parentis, and you salbe rewardit thairfoir with Goddis blissing and ouris. Item, it is my latter will, because tyme hes nocht permittit that I may mak ony provisioun for my tua youngest lauchfull dochteris borne of this present wyff, that thow, my sone Alexander, as thow will obtene the blissingis quhilkis I have bestowit and bestowis upone ye,

that quhen God sall pleis to bring ye to perfite aige that thow sall in my absence schaw thy self as ane fader to thy sisteris and help thame at thy power, gif God sall mak ye abill thairfoir, and that for the mentionat rewaird preceding, quhilk is Goddis blissing and myne. Item, to you, my naturall sone, Maister Johnne Hwme, I counsall and command yow be this my latter will, as ye will obtene my blissing and hes evir bene obedient to me in tymeis past that in all your proceedingis ye be governit and gydit be the counsall of my wyff, and that ye swerwe nocht frome hir hailsum counsall for ony sinister counsall may happin be gevin yow, quharof I sall put yow in remembrance be my mowth speking be the grace of God or my depairture for I dout nocht for the luif scho beris and buir to me at all tymeis sen our first meting bot hir counsall sall turne to your proffit and comfort; and gif God permittis my lauchfull sone, Alexander, to cum to maturitie of aige and discretioun of wit that ye makis your haill dependence upone him, be rewlit, gydit and governit be him and be the counsall of his moder, my wyfe. This I command you be my latter will to do, as ye will obtene my blissing. And als I mak it knawin that I have left in my latter will my Lord Regentis Grace tutor testamantar to my puir bairnis, quhilk apperis schortlie to be fatherles orphannis. I dout nocht bot his Grace for my blissing will put to his helping hand and be ane protectour and defendar of my wyfe and puir bairnis and all utheris freindis and servandis that hes schawin thameselfis honest and trew to me in my lyvetye, and will nocht suffer nor permit thame to be oppressit or owirthrowit be the manifest tyranny of the oppressouris that hes put thair handis in my possessionis, guidis and geir, and schortnit my dayis upone the faice of the erth, bot his Grace will defend my wyfe, bairnis, freindis and servandis frome the tirannie of the oppressouris that beris evill will at thame for my cause and for the gredie appetiteis thai beir to my possessionis and geir, as may appeir be thair unhoneist dealingis; beseikand his Grace to defend my wyfe, bairnis, freindis and pure servandis thair personis frome the tyrannye of the oppressouris and thair just actionis be the law, for I am certifeit gif his Grace will nocht chainge his natour towardis my wyfe, puir bairnis and the rest of my weilwillaris, quhome I haue committit and committis in his Graceis protection under God, utherwayis nor his Grace hes done quha hes bene committit in his Graceis handis befor tyme, his Grace wilbe guid and will use his Graceis wountit guidnes to myne committit under his Graceis charge and protection, for I have experience be his Graceis honest dealing in tymeis past with sik as hes bene committit to his Graceis handis quhat I may luik for to myne, and that for my blissing; and prayis Almychty God to adjone his benedictioun with myne. Mairattour I will beseik his Grace for the luif of God and for my blissing that his Grace will tak sik offices as sumtyme appertenit to me, sik as the wardanrie and bailzeris, furth of the handis that presentlie occupyis thame and put thame in the handis of thame that hes nocht schawin thame selfis manifest oppressouris of me and my puir decayit house, and that unto the tyme that Alexander, my sone, cum to perfite aige and discretioun of wit that he may be abill to serve the Kingis Majestie and your Grace as becumis ane trew

subject. This my latter will, subscriyvit with my hand, day, yeir and place foirsaidis, befor thir witnessis, Thomas Fotheringhame of Powrie, Gilbert Gray, provest of Fowlis, Johnne Cranstoun of Moreistoun, and George Gray of Mawis.

(Signed) Alex^r. Home.

Tho. Fotheringhame of Powre, wytnes.

J. Cranstone, wittnes.

Gilbert Gray, proueist of Fowlis, witness.

George Gray of Mawis, vitnes.

541. Letter from King James the Sixth to Lord Home :—

Traist cousing and counsallour, we greit yow hairtly wele. We have thocht meit heirby effectuaslie to requeist and desyre yow that ye fail not to remayne on the feildis the xxix day of this instant, appointit for your deliverie of the pledges in England, that haill day quhill the sone ganging to, for avoyding of all subterfuge or excuse that may be alledgit be the Lard of Bucleuch or the rest upoun your suddane departure and not awaiting on that turne that haill day appointit, as ye will do ws gude pleasour and service; sua we commit you to God. From Linlythgow this xxvj of September, 1597. (Signed) JAMES R. (Addressed) To our traist cousing and counsallour, the Lord Home.

542. Copy. Testament of Alexander, Earl of Home, 1616 :—

Be it knowin to all men be thir present letters Us, Alexander, Erle Home, Lord Coldinghame and Dunglass, understanding that nothing is more uncertene than the hour and tyme of death and that theirfoir ewerie faithfull Christian ought ever to be prepared for the same, for doeing whairof it is requisite to put thair houses in order; in consideratioun whairof we mak our legall testament and letter will as follows: First, we leif our haill pairt of fre goodes and geir, debts, soumes of money, fermes, teyndis, customes, gold, silver, coynd or uncoynd, quhilk sall happin to perteyne to us, quhensoever it schall pleas God to call upon us, to be equallie devyded betwixt William, my secund sone, Margret and Ann Homes, my doghters, reserveing allways to my well beloved spous, Dame Marie Suttoun, hir jewells and chalmer pleit of silver or golde, quhilk I geif to hir onlie, declairing the same to be hers by thir presents to be hir own proper goods and geir: Item, I nominat the said Dame Marie Suttoun, my spous, onlie tutrix to my eldest sone, James Home, and to my haill remnant bairnes, William, Margret and Ann Homes foirsaid, or to quhatsumever bairnes heirefter, to be procret betwixt the said Dame Marie and me at any tyme heirafter, and dureing all the tyme of hir wedowheid allenerly, and incaice of hir maridge or death, then and in that caice I nominat Sir Johnne Home of Huttounhall and Sir David Home of Eccles conjunctlie and severallie dureing the tyme and in maner abone rehersed, abone all other tutours quha may be the law or practise of this realme pretend or alledge them selves to be tutours to any of my bairnes foirsaidis. This wee declare to be our testament and letter will, be thir presents, written be Mr. Alexander Home, minister at Eccles, subscrivit with my hand at Dunglas, the xx day of Februarij, the yeir of God j^m vj^c and sixtene yeir, befor thir witness, William Home,

our natureall son, provost of Dunglas, the said Mr. Alexander Home, and Robert Douglas, our servitour. *Sic subscribitur*, A. E. Home; Williã Home, witnes, Robert Douglas, witnes, Alex^r Home witnes. On this deed there are written a number of exceptions taken against the Countess in her administration of the executory under this will.

543. Old Rental of Home, including the Castle, Mains, and Tenandry of Home with the lands of Hairheuch, Ramrig, Howlans, Todrig, Standelyne and others, the mill of Gordon and the East mill, the fishings of Hallawell and Ringnet stands, and others; dated about 1622, as there is reference in it to the Marriage Contract of James, Earl of Home, and Dame Katharine Carre, dated at Edinburgh, 10th August of that year.

544. Letter from King Charles the First [probably to the Lords of Session] about the affairs of James, Earl of Home:—

CHARLES R.—Right trustie and right welbeloved cosin and counsellour, right trustie and right welbeloved, we greet you well. Whearas we have signified our royall pleassure to our right trustie and right welbeloved cousins and counsellouris, the Erlls of Murray and Lauderdaill, in nam of thair sones and daughter is inlaw and to our trustie and welbeloved James Home of Coldenknowis, for submitting of all questiones amongs them anent the succession to the estaite and liveing of Home to the amicable decisiõne of freinds, it is our will that yow not only forbear any forder proceeding in any proces depending theranent but lykewayes that yow stay all proces intentit or to be intentit either at the instance of any of thes partities againes the other or at the instance of any uther againes them or any of them as airis or successoris to umquhile James, Erll of Home, till you shall understand our farder pleassure; whairin expecting your readie obedience, we bid you farwell. From our manour of Greenwich, the 24th May 1634.

545. Charter by James, Earl of Home, to Lady Jean Douglas, Countess of Home, his wife, of the lands of Hirsell, with the tower, fishings on the Tweed, teinds and other pertinents, the lands of Auld Hirsell, a carucate of land in Hirsell called Countess croft, Cauldstream Flett, Puttanis hauch, twelve acres of land in Hirsell Round and Braidspottis, Braidhauch, Dodrick and Bredleyes on the south side of the Water of Leitt, towards the monastery of Cauldstreame, the four husband lands of Hatchetness, the mill called Fyreburne Mill, the mills of Cauldstreame which were demolished and destroyed in the time of war but are now rebuilt, and the lands of Lambden, all these being for the liferent provision of the said Countess; to be held of the granter under the King for payment to the King and his successors of the duties and services due from these lands; dated at Perth, 5th May 1651.

546. Letter by John, Earl of Mar, Secretary of State for Scotland, to Alexander, seventh Earl of Home. Whitehall, 13th March 17¹³/₁₄:—My Lord, It is some time since your Lordship had directions from the Barons of the Exchequer in Scotland to transmit to the Secretaries office an account of the vacant

churches within the bounds of your shire that are at the Queen's disposal either in her own right or as succeeding to the right of patronage, formerly vested in the Bishops of Scotland ; and for your greater ease in the dispatch of this matter you had a list sent you of all the churches situate within your district that are in her Majesty's gift. But it being found that the said list is not exact I must desire you with all convenient speed to make and send me up a more perfect account of the churches lying within the bounds of your jurisdiction, to which her Majesty has at present the right of presentation ; and in the said account I would have you to specify the yearly stipend of each particular church with the name of the Presbytery to which it belongs, and likewise to distinguish which churches are in the Queen's presentation in her own right, and which are at her Majesty's disposal as she comes in place of the Bishops. And it is her Majesty's pleasure that when any of the said churches become void for the future you immediately send me up advice of it, and at the same time acquaint me whether the vacancy happens by the death or removal of the last incumbent ; what the value of the stipend is ; in what Presbytery it lies ; and who are the principal heretors of the Parish. I am, my Lord, your Lordship's most obedient humble servant, MAR. [To the] Earl of Home.

2. HOME OF MANDERSTON.

547. Bond of Assurance given at the King's command by Alexander Home of Manderstoun, for himself and his friends, kin and dependants, to Francis, Earl of Bothwell, until 10th April next, upon pain of perjury, infamy and "tinsell of perpetuall credeit, honour, estimatioune in tyme cuming"; dated at Edinburgh, 21st January 1588-9. It is neither signed nor attested.

548. Extract registered contract dated at Duns, 22nd August 1611, between Sir George Home of Manderstoun, knight, and John and James Fa, brothers, masons, to the following effect. As the aisle and work built by them this last year for the said Sir George is faulty and in danger of falling through their default, they oblige themselves to take with them a sufficient number of craftsmen and deal with the same before 1st March next, continuing at it until completed ; that is to take down the whole "fra the top stane thair of to the grund," at least as much as the said Sir George shall think expedient, and rebuild the same in terms of their first contract ; and for this Sir George agrees to pay them 110*l.* Scots ; witnesses, Adam Storie, servitor to the said Sir George, William Lindesay, messenger, and John Home, notary.

549. Assignment by Dame Helen Arnott, sometime spouse to Sir George Home of Manderstoun, knight, in which, after narrating that she had obtained a decret against the said Sir George ordaining him to pay to her and her heirs yearly 1,000 merks, secured over his lands be-east the Water of Quhytwater, she assigns the same to John Home, baron of the barony of Crumstane, her son, who has advanced to her certain great sums of money ; dated at Dunse, 20th November 1633 ; and signed, HELENE ARNOT.

550. Letter from Lady Jean Hay, Countess of Mar, to Sir Alexander Home, son of Sir George Home of Manderston; and Gentleman of the King's Household:—

Honorable and loveing cousigne, I had before this returned the answer of your last to me, yit because of sune idle rumour I have heard since, I must againe be thus troublesome as to beseech yow, if there be any dealing with my lord concerning the two castles of Edinburgh and Stirling, that you wilbe carefull to advise him not to parte with any of them till first he be possessed of whatsoever is promised, otherwise he may know how uncerten he will be of any satisfaction; but upon no condition let him not quite this house, as he wald live with honour and not grieve the soule of his noble father (if he could see it) and all that love him, chiefelie my selfe, and his sonne nixt, that you wilbe a meane to haste him home, for it feare me he be a little carelesse, or rather be allured to stay with the imaginations of things which in end will prove but a fantasie, and when things hear are neglected, and others not obtained, it wilbe hee that will first find the ill of it, and then you know how hardlie he can digest so bitter a potion. But let it be wiselie prevented, for what is to doe there may be overtakin, but lost credit hardlie or never recovered. So wishing your selfe all happiness, I shall ever be, your most affectioned friend, (Signed) JEANE HAY. Stirling Castle, this 22 of May 1635. (Addressed To my honorable and loveing cousigne, Sir Alexander Hume. On the back "From the Countess of Mar."

551. Paper subscribed by Mr. Robert Trotter, and Mr. Alexander Spotiswoode, advocates, entitled "The true Information of Sir John Hume's Case," in which they represent, apparently to the Lords of Session, *inter alia*, the following facts. Sir George Hume of Manderstoun died eighteen years previously. By his second marriage he had four children, the foresaid Sir John, David, William and Anna Hume. Their mother brought into the family a portion of about 5,000*l.*, and for her jointure and these children's provisions there was made over to her a part of Sir George's estate; but he becoming engaged for some of his friends, one of his creditors, John Hume of Renton, adjudged this lady's jointure lands, valued at about 400*l.* yearly, and entering into possession had since detained it from the lady and her children for twenty-seven years, though the debt due to him was only 450*l.* Sir John commenced a suit against Hume of Renton seventeen years ago, but Renton's father-in-law being President "in the late King's tyme" he could have no justice; and there have since been continual delays. The last decreets of the Session are dated 12th February 1656, and 8th July 1657.

Bundle of "Copies and Scrolls of Letters, etc., proposed to be written by the King to the Session, in favour of Sir Alexander Home regarding the proceedings of Home of Renton." Most of the letters and papers are undated, but one or two of them bear date 1635-8, in which the King recommends the case of Sir Alexander Hume in claiming the gift of the escheat and liferent of his father Sir George Hume of Manderstoun. Sir Alexander is the King's domestic servant, and there is a draft protection for his remaining

in Scotland, which the King grants as a special favour notwithstanding that he had issued a general restraint of all such protections. There are two draft petitions on the matter by Sir Alexander Home, one of which, apparently to King Charles the First, introduces his claim and complaint against John Hume of Renton; and the other is to King Charles the Second, in the following terms:—"To the King's most excellent Majestie, the humble petition of Sir Alexander Hume, your Majestie's faithful servant, shewing—That whereas your Majestie's royall father of blessed memory and your gracious self have been pleased to passe diverse graunts unto severall persones of suche grounds lyeing within your kingdom of Scotland as could not be found by any record to have been disposed of before by any of your royall progenitors to any person or persones, such as Gledsmure, Lairgsmure, the Communtie of Dumbar, and diverse others, whereby these grounds that yeilded litle benefite to the cuntrey in times past and no revenue at all nor subsidie to your Majestie ar now or may be converted to arable ground, and ar charged with a rent to your Majestie and lyable to pay taxationes as the rest of the land within your Majestie's kingdom. And whereas there is in that kinde a small parcell of ground called the Threapearthe bearing the names of Tawcrosse, Bruntrigge, Fadancairne and Hyndlawhille, lyeing within the shiredome of Barwick, betwixt the landes of Ramrigge, Swintonhill, Swinton quarter and Symprian, whiche ground of Threapearthe, with the pertinents, hath never, or at the least can never be proved to have been disposed by any of your Majestie's royall progenitors to any person or persones in propertie or communitie, but is by all the heritors of the lands adjacent severally claimed to belong to each of them in particular and litigiously possessed by them all in generall, howsoever none of them nor any other your Majestie's subjects can be able to shew any just right or title thereto, so that it must of necessity be presumed to belong to your Majestie by the laws of that your kingdom," he therefore prays that in consideration thereof and of the petitioner's long and faithful service to the King and his late royal father, he will be pleased to grant a feu charter of the land above mentioned with pertinents, to George Home, the petitioner's brother, under like conditions as to rent and other privileges as the other grounds referred to.

552. Charter by King Charles the First, under the great seal, to George Home, brother german to Sir Alexander Home, knight (who has petitioned the King thus to recognise and reward his own long and faithful service to himself and his father, King James) of the lands of Threipearthe, or Threipland, comprehending the lands of Tawcroce, Bruntrig, Fadancarne and Hyndlaw hill, dated 15th September 1635.

553. Letter by King Charles the First to Sir Robert Spottiswood, President of the Court of Session:—

CHARLES R.—Right trusty and welbeloved, wee greet yow well. Whereas we have understood by our Commissioner your humble remonstrance touching our letter to yow in October last in behalf of our servant, Sir Alexander Hume, for staying a processe of improbation depending at the instance of John Hume of Renton,

wee cannot but take in good part your zealous care of justice, which wee never intended should be denied to any of our subjects, specialle to that gentleman whom wee heare to be well affected to our service. Yet wee still desire that the differences between them may be composed in such an æquitable way as neither partie may suffer præjudice. In the meane tyme being informed that yow have assigned for the last production in that processe a terme so short as cannot possible be kept for the reasons expressed in the inclosed peticon, our pleasure is that yow tak the same to your consideration and that (without respect of persons, meerely weighing the equitie and importance of the cause) if yow shall find by his peticon just grounds for what our said servant demands, that then yow grant him such further time to recover the wreitts required as yow shall judge to be sufficient, otherwise that yow proceed in the said action according to justice. Wee bid yow heartily farewell. From our Court at Whitehall, the 12 of February 1639. (Addressed) To our right trusty and welbeloved Sir Robert Spottswood, knight, President of our Colledge of Justice, and remanent senatouris therof.

554. Retour of the general service of Katherine Home, wife of George Brown, merchant burgess of Edinburgh, to her grandfather, William Home in Manderstoun, exped in the tolbooth of Duns before Sir Henry Home of Heardrig, knight, and Alexander Home of Linthill, sheriffs depute of Berwick, on 3rd October 1661, by the following jury:—Robert Ker of Shawe, James Murray of Prestfeild, James Dickson of Belchester, John Lundie of Todrig, John Maislet in Duns, Mr. William Laing, schoolmaster there, Alexander Home, elder there, Alexander Home, younger, there, John Duns there, William Home in Kakielaw, John Dickson of Newbigging, Joseph Mowat of Fawsyd, James Brunfeild of Nether Maynes, Robert Dickson, younger of Over Maynes, and Archibald Robertson in Crumstaine.

3. BERWICK UPON TWEED.

555. Indenture between John of Wallace, burgess of Berwick-upon-Tweed and his son Thomas, and Patrick of Berwick, also burgess there, about an annual rent of 6s. 8d. from lands in Berwick, dated at Berwick, 1st August 1324 :—

Hec indentura testatur quod ad festum Sancti Petri quod dicitur Ad vincula anno gracie millesimo tricesimo vicesimo quarto, ita convenit inter Johannem de Wales, burgensem ville Berewici super Twedam, et Thomam, filium eius, ex una parte, et Patricium de Berewico, burgensem eiusdem ville, ex altera, videlicet,—quod predicti Johannes et Thomas unanimi consensu et voluntate concesserunt et ad terminum dimiserunt predicto Patricio unum annum redditum sex solidorum et octo denariorum exeuntum de illo messuagio in predicta villa Berewici in Scarugate, sicut jacet in longitudine et latitudine, inter terram Clementis Todde ex parte boreali et terram Isabelle de Hohe ex parte australi: Habendum et percipiendum predictum annum redditum sex solidorum et octo denariorum dicto Patricio et heredibus suis vel suis assignatis de predictis Johanne et Thoma et heredibus suis, a predicto festo Sancti Petri usque ad terminum decem annorum proximo

sequentium plene completorum, libere, quiete, bene et in pace, pro quadam summa pecunie quam dictus Patricius Johanni et Thome in sua magna necessitate premanibus pacavit; quemquidem annum redditum supradictum dictus Patricius eisdem tenebatur solvere ad festa Sancti Martini in hieme et Pentecostes per equales portiones; et dicti Johannes et Thoma et heredes sui totum annum redditum supradictum usque ad finem termini predictorum decem annorum, ut predictum est, predicto Patricio et heredibus suis vel suis assignatis contra omnes homines et feminas warantizabunt, adquietabunt et defendent. In cuius rei testimonium presentibus indenturis sigilla partium alternatim sunt appensa, hiis testibus, Johanne de Loudoun, tunc majore de Berewico; Willemo Schorore, Egidio de Mindrum, Johanne Normand, et Roberto dicto Qwiteheid, tunc ballivis ejusdem ville; Johanne Todde, Stephano Furbur, Clemente Todde, Johanne de Fischewik, Aymaro de Cavers, Malcolmo de Rettroch et aliis. Datum apud Berewicum super Twedam die et anno supradictis.

556. Charter by Roger of Stirling, son of the deceased Adam of Stirling, burgess of Berwick, to John of Renton of a croft of over four acres of land in the Snook of Berwick, dated at Edinburgh on Whitsunday 1444:—

Omibus hanc cartam visuris vel auditoris Rogerus de Strevelyne, filius et heres quondam Ade de Strevelyne, burgensis de Berwico super Twedam, salutem in Domino sempiternam. Noveritis me dedisse, concessisse et hac presenti carta mea confirmasse Johanni de Raynton, burgensi de Berwico super Twedam, totum croftum meum in quo continentur quatuor acre terre arabilis et magis jacens in Snowko de dicto Berwico, inter terram Symonis de Sawlton, qui quondam fuit burgensis ejusdem Berwici, ex parte boriali, que quondam terra fuit quondam Domini Johannis Kyfferdo, militis, et terram Ade Meyne, burgensis ejusdem Berwici, ex parte australi, que quondam terra fuit quondam Roberti de Barton, qui quondam fuit burgensis ejusdem ville Berwici: Habendum et tenendum totum predictum integrum croftum predicto Johanni de Raynton et heredibus suis et suis assignatis de me et heredibus meis in feodo et in hereditate, libere, quiete, integre, honorifice, bene et in pace imperpetuum; Reddendo inde annuatim mihi et heredibus meis unam rosam ad diem Sancti Jacobi, si petatur, a dictis Johanne, heredibus suis vel suis assignatis, pro omni alio servicio seculari seu demanda que de predicto crofto integro exigi poterunt in futurum. Et ego vero predictus Rogerus Strevelyne et heredes mei totum predictum croftum predicto Johanni de Raynton heredibus suis et suis assignatis, ut supradictum est, contra omnes homines et feminas warandizabimus, acquietabimus et defendemus in perpetuum. In cuius rei testimonium huic presenti carte mee sigillum meum apposui; et quia sigillum meum non est autenticum sigilla Warini de Beuyrlaye, burgensis ejusdem Berwici, Christoferi de Coloyne, Alexandri Rodaile, Ade de Slynkysby, Andrea de Qwitby, Rogeri Lambe, Johannis de Coloyne et Willelmi de Idreston, filii Bertimæ de Idreston, burgensium de predicta villa Berwici super Twedam, apponi

procuravi. Datam apud Edynburgh, die Penthecostis, anno Domini m^{cc}. ccc^o. quadragesimo quarto. Of all these seals mentioned only fragments of those of Warinus de Beverley and Roger Lamb remain.

4. CALDRA.

557. Charter by James, Commendator of the Monasteries of Calco (Kelso) and Melrose, whereby in return for certain sums of money paid to him for the reparation of the said monastery (*sic*) destroyed by the English, he confirms to Alexander Cokburne, indweller in Caldraw, the lands of Caldraw presently occupied by him in the shire of Berwick; to be held of the granter for payment of five marks as the old duty, and 13s. 4d. of augmentation, making six merks in all, with three suits of court at the head court of Calco. Dated at the Monastery of Calco, 8th November 1554. Signed, JAMES CŌMENDATO^R of KELSO and MELROSE, ADAM CHATTO, SUPP^OR, ALLEX^AD^R WOD, JACOBUS ÅCRŪ, THOMAS SYMSONE; RADULPHUS GLEDSTANS, THOMAS BURNETT ad idem, MICHAELL CHATTO. This charter was confirmed under the great seal on 12 December 1586.

558. Retour of the special service of Patrick Cokburn of Cadra as heir of his father, Alexander Cokburn of Cadra, in the lands of Cadra. He is of lawful age, and the lands are now held of the Crown by virtue of the Act of Annexation. His father died in May 1596. Exped at Langtoun before Adam Cockburne, sheriff depute of Berwick, on 9th July 1601, the jury being as follows:—Robert Swintoun of that Ilk, David Rentoun of Billie, George Auchinlek of Cumlege, Robert Edgar of Wedderlie, Robert Sinclair, apparent of Longformacus, William Cokburn of that Ilk, James Home of Whitechester, Robert Dickson of Buchtrig, Patrick Home of Bromehous, John Dickson of Kaims, William Cockburn of Chowslie, James Trotter in Fogo, Alexander Broun in Blaikbinourig, Thomas Trotter in Natherhall, and Patrick Trotter in Overhall. Sasine followed on 25th June 1602, on a precept from Chancery dated 11th June.

559. Instrument of Sasine, dated 8th September 1648, in favour of Lieut.-Col. John Cockburn, Governor of Stirling, in the lands of Caldra, in terms of a contract of marriage between him and Helen Cockburn, eldest lawful daughter of William Cockburn of Caldra, in which the said William Cockburn makes over to them and the heirs male of their marriage his lands of Caldra, under reservation of his own liferent and that of Katherine Riddoch, his wife, and of his right of redemption upon payment of 4,000 marks. Sasine is given by John Achisone, indweller in Caldra, as bailie, and received by William Lindoires, clothier there, as attorney, witnesses being James Lindoires, brother german of the said William, also clothier, William Lindoires his son, and James Trotter, servitor to the bailie.

5. DUNS.

560. Obligation by Mr. John Bennat, parson of Duns, wherein, after narrating that it is due to the interposition and labour as

well as the great charges of James Colvill of Easter Wemis that he has been provided for life to the parsonage and vicarage of Duns, vacant through the death of the last parson, Sir Daniel Howme of Fishewick, he promises to lease the teind sheaves of the parish of Duns, with the kirklands, glebe, manse, barn and barnyard thereof, to the said James Colvill or to any person he and Robert Colvill of Cleish and James Cunynghame, brother of the Laird of Drumquhassill, shall be pleased to name; and not to lease these without their consent; and he further promises to ratify the leases granted by the last parson to Adam Bruce, son of the deceased Patrick Bruce of Lynewill; dated at Crummy, 3rd May 1582; witnesses, Robert Colvill of Cleishe, John Douglas of Cunyngstoun, Peter Douglas, Thomas Lyddall, Lawrence Sowtter and the said James Cunningham. The seal of the granter is impressed on the paper and shows a shield bearing a St. Andrew's Cross with a mullet in chief and one in base.

561. Instrument of Sasine, dated 13th January 1588, in favour of Mr. Peter Danielstoun, in the kirk lands of Dunse called Preistissyde, extending to two husband lands, occupied by Hugh Nicholson and Cuthbert Currie, with four acres of arable land and the manse, with pertinents, formerly occupied by Mariota Nisbet, relict of Jasper Cairns, with the pasturage of eight sounes of animals on the moor and mosses of Rewlismains; proceeding upon a precept from Chancery, dated at Holyrood, 2nd February 1587.

562. Charter by King James the Sixth under the great seal confirming a charter by Archibald Douglas of Pittendreich, dated at Edinburgh, 15th March 1603, to Sir George Home of Grenelaw, knight, of the lands of Samsons Walls and Crumstane, and Mains of Dunse with the cottages and acres thereof near to or within the town of Dunse, and formerly belonging to the deceased George Home of Spott and occupied by him for several years before his death; and also of seven husband lands in Quhitsum, and two husband lands in Hiltoun, with the lands called Preston Wairis, in the shire of Berwick. The charter of confirmation contains a *novo damus* by the King, and adds the lands of Rowlis Maynes, and it is stated that the lands formerly belonged to James Douglas of Spott and Ann Home, his wife, only lawful child of the said deceased George Home of Spott, and were resigned by them in favour of the said Sir George Home of Grenelaw. The lands are to be held of the Crown for payment of 12*d.* yearly at Whitsunday, and the advocation and patronage of the churches for payment of a white rose at the feast of the nativity of Saint John the Baptist, if asked; dated at Holyrood, 4th April 1603.

563. Precept of *Clare Constat* by Alexander Home of Ayton in favour of Alexander Home of Linthill, as heir of his father, William Home of Linthill, in seven and a half acres of land within the burgh of Duns, and in the six husband lands of Blackhill, with manor place and pertinents in the parish and barony of Coldingham; dated at the Castle of Duns, 15th April 1662.

6. GRADEN.

564. Charter of Apprising by King James the Fifth under the great seal to George Newtown of half of the ten husband lands of Graden. The charter narrates that after an action at law by James Akinhead, as donator of the non-entry of these ten husband lands of Graden, against Elizabeth Fenton of that Ilk, and Katherine, Helen and Janet Fenton, daughters of the deceased John Fenton of that Ilk, who had right to the property of these lands, and against Gavin Borthwick, husband of the said Elizabeth, George Newton, husband of the said Katherine, John Dicksoun, husband of the said Helen, and James Newman, husband of the said Janet, and also against Gilbert Wauchope, of Niddrie Marischal, in which these lands, which had been in the hands of the Crown for over forty years since the death of the said John Fenton, were decerned to belong to the said James Akinhead, he (James Akinhead) duly apprised these lands and then disposed them equally between the said Gavin Borthwick and the said George Newton. The present charter, dated at Edinburgh, 1st April 1541, is the King's confirmation of George Newton's five husband lands of Graden. He took sasine on 21st April following, the bailies being George Hoppringill in St. John's Chapel and David Spottiswood of that Ilk; and the witnesses, Andrew Watsoun, Ninian Steill, Cuthbert Wedderet, William Haitlie, Nicholas Piersoun, Patrick Carthra, David Coissoure, and David Cleghorne; John Mossman, clerk of the diocese of Glasgow, being notary.

565. Bond of friendship between George Home of Wedderburn and Sir William Livingstoun of Kilsyth, knight, dated at Edinburgh, 23rd May 1577, wherein they, considering the old friendship between their two houses of long time past, and that subsisting between themselves, for the preservation and continuance of the same, agree as follows:—The said George Home obliges himself and kin and friends to defend and support the said Sir William in the peaceable enjoyment of his lands and heritage of Gradane and Darnchester, and in special takes burden upon him for John Home in Crumstane, his father's brother, and for his son, under the penalty of making good all damage sustained in default hereof; In return Sir William is to receive the said George Home as tenant in part of his lands of Darnchester. As his cautioner for fulfilment hereof, George Home provides Sir John Edmonstone of that Ilk, but the name of Sir William's cautioner is left blank. Witnesses, Sir John Mure of Annastoun, John Lausoun of Lochtulloch, and John Johnstoun and John Graham, burgesses of Glasgow.

566. Charter by Mr. David Borthuik of Lochill, King's Advocate, with consent of Mariota Guthrie, his spouse, selling to John Newton in Graden and his heirs and assignees, their five husband lands of Grayden, in the town and territory of Graden and sheriffdom of Berwick; to be held of the granters under the Crown, as superiors, for payment to the Crown of the customary services; dated at Edinburgh, 15th June 1580. Signed MAST DAVID BORTHUIK v^t my hand, MARIOUN GUTHRE w^t my hand.

Both of their seals are still appended, that of Borthwick being defaced, but his wife's bears a shield displaying quarterly 1 and 4, a lion rampant, and 2 and 3 three garbs or quiverfuls of arrows, 2 and 1.

567. Notarial Instrument narrating that on 8th April 1596 intimation was made at Graden by David Nesbit in Cumergham Mylne, as procurator for George Home of Wedderburn, to Mr. Alexander Home, parson of Spott, and Jonet Hammiltoun, his spouse, of an assignation which had been made by John Newton in Graden of the reversion of six husband lands of the said John's ten husband lands in Graden.

568. Precept of *Clare constat* by Sir George Home of Wedderburn, with consent of David Home, his son and heir apparent, fiar of the lands and barony of Hornden, in favour of William Lawson in Phogo as brother german and heir of John Lawson, burgess of Edinburgh, in an annual rent of 45*l.*, upliftable from the lands of Graden, and directing David Nisbet in the Mill of Kimmerghame to give him sasine therein; dated at Edinburgh, 11th February 1608; witnesses, Henry Stirling, brother german of William Stirling, younger of Ardoch, William Home, portioner of Hutoun, David Home in Wedderburn, and others. It is signed by both granters and the seal of Sir George is still appended.

569. Charter by William Lawsons in Phogo, brother and heir of the deceased John Lawsons, burgess of Edinburgh, in which he narrates that the said John Lawsons on 5th March 1602 disposed to Sir Alexander Home of Snuk (?) knight, Lady Christian Erskine, his wife, and Sir George of Manderston, his son and apparent heir, an annual rent of 45*l.*, upliftable from the five husband lands of Graden belonging to the deceased John Newton, portioner of Graden, and that they have required from him corroboration of their title thereto. Accordingly he, as his brother's heir, grants them this charter in confirmation thereof; dated at Phogo, 17th March 1608; witnesses, John Trotter of Phogo Nuik, Alexander Home in Phogo, Robert Broun there, and William Mernis in West Reston. The granter, being unable to write, signs by the aid of John Dewar, notary.

7. Some lands in HADDINGTONSHIRE.

570. Letter of bailiary by Sir Robert Lauder, Lord of Edrington, to John Renton of Lamberton, to give sasine to David of Renton and his heirs in the lands of Easter Pencaitland. Dated at Craig, 9th March 1435:—

Omnibus has literas visuris vel auditoris, Robertus de Lawedre, miles, dominus de Edrintoun, salutem. Sciantis me fecisse, constituisse et ordinasse dilectum consanguineum meum, Johannem de Rantoun de Lambirtoun, ballivum meum ad deliberandum nomine meo et heredum meorum sasinam hereditariam Davidi de Rantoun et heredibus suis de tota terra de Estir Pencaitlande cum pertinenciis, jacente infra vicecomitatem de Edinburgh et in constabulario de Hadingtoun, cum omnimodis suis pertinenciis ad

dictam villam pertinentibus. In cuius rei testimonium penes predictum Johannem remansuri sigillum meum apposui. Data apud Crage nono die mensis Marcij anno Domini millesimo cccc^{mo} xxx^{mo} quinto. [The granter's seal in a somewhat fragmentary state is still appended.]

571. Instrument of Resignation, dated 18th February 1467, by Elizabeth of Preston (made by her procurator, Robert Ramsey of Cullyrhop), in the hands of John of Newton, as lord of the barony, of all her lands in the town and territory of Kydlaw, within the Constabulary of Hadingtoun, in favour of William Synclare, Lord of Hyrdmanstoun, to whom the superior gave infestment therein; witnesses, Alexander Newton, son and heir apparent of the said John of Newton, George Synclar of Blanns, Thomas of Newton, William Chernsyde, Alexander Qwhippo, James Lempatlaw, vicar of Makearstoun, Dungal Hay and George Colvyn; Alexander Clerk, clerk of the diocese of St. Andrews, being notary.

572. Precept of Sasine by Robert Lauder of Bass, knight, and proprietor of the lands of Newhall, directing Alexander Aldinstoun of that Ilk, George Belsis of that Ilk, George Rantoun, and Gilbert Aldinstoun, or any of them, to infest David Rantoun of Billie in the western half of the lands of Woodfuyt with pertinents, extending to five and a half merks of land, lying in the lordship of Newhall and constabulary of Haddington; which formerly belonged to Alexander Cokburn of Newhall, and were resigned by him in the hands of the granter at his dwelling place of Beill, where this precept is dated, 16th May 1512, and signed ROBERT LAUDD.

573. Precept of Sasine by Patrick, Earl of Bothuile, Lord of Halis and Crychtoun, and Great Admiral of Scotland, directed to John Dowglass of Hawthornden, William Sinclar and John Lamb, as his bailies, to give sasine to his kinsman, Alexander Hepburn of Quhitsum, and the lawful heirs of his body, whom failing, to Thomas Hepburn, his natural son, and the lawful heirs to be procreated of his body, whom failing, to revert to the granter and his heirs, in the lands of Auldhamestox, with pertinents, together with the superiority of the lands of Scottandeluycht, with pertinents, in the said barony of Auldhamestox, lying within the barony of Halis by annexation, and constabulary of Haddington. Dated at Edinburgh, 12th June 1543. Signed, PATRIK, ERL BOTHUILE.

574. Procuratory of Resignation by David Rentoun of Billy to for surrendering in his Majesty's hands the kirklands of Penkaitland pertaining to the Vicarage thereof, viz., the Vicaris hill in Easter Penkaitland with the meadow adjacent thereto, with their pertinents, in favour of James Richertsoun of Smetoun, who is to be infest therein in liferent, and Robert Richertsoun, his second lawful son, in fee. Failing heirs male of the body of the said Robert, the subjects in question are entailed in succession upon Alexander the third, and James the eldest sons of the said James, and Robert, brother german of the said James, elder, and the heirs male of their bodies, whom failing,

the heirs and assignees whomsoever of the said Robert, his second son, in terms of contract dated at Edinburgh, 10th June 1597. The date of the Procuratory is only filled in with the year 1598, and the testing clause is not filled up, but the signatures of DAVID RENTOUN off BILLIE, Niniane Chirnsyd, wittness, and Jhone Paxtone, wetnes, are appended.

575. Sasine in form of a Declaration by George Roule, bailie in that part of David Rantoun of Billy, that in terms of a precept directed to him by the said David Rantoun he had given infestment to Janet of St. Clair in liferent in the lands of Easter Pencatland with their pertinents in the constabulary of Hadingtoun and sheriffdom of Edinburgh on the day of the date of these presents, which bear date at Edinburgh, 7th November 1478, before these witnesses, James Sinclair, Thomas Gray, Richard Sinclare, John Richartsoun, William Queyrland. The precept above-mentioned is inserted at length, and mentions that David Rentoun has granted a charter of these lands to Janet of St. Clair. It bears date at Edinburgh, 4th November 1478, the witnesses being Mr. Patrick Roule, provost of Dalkeith, and John Roule, brothers, Alexander Weddaile and William Quereland.

576. Charter by John Rentoun of Billie with consent of his eldest son David, to Alison Heriot, of the lands of Easter Pencatland. He states that he has received from her a certain sum of money. The lands are to be held of the granter blench. The Charter is dated at Billie, 27th December 1580; witnesses, Mr. Robert Fawsyde, apparent of that Ilk, Patrick Lewingstoun, apparent of Saltecoittis, William Melville, Burgess of Edinburgh, John Broun in Hoprig, Mr. William Scott, writer, and William Fawsyde, servitor to Thomas Fawsyde of that Ilk. The signatures of the granters and their seals are appended.

8. HILTON.

577. Discharge by Cuthbert, Lord Kilmaüreris, and Baron of Hiltone, to Andrew Blakcader of that Ilk, his tenant of the barony of Hilton, for all dues bygone; given under his hand and seal, 23rd June 1494.

578. Letters of Reversion by Andro Blacater of that Ilk, to Cuthbert, Earl of Glencairn, Lord Kilmawers and Baron of the barony of Hilton, in which he narrates that after the forfeiture of the said barony and the new infestment thereof given by the King to the said Earl, the said Earl, with consent of William Cunnyngname, his son and heir apparent, had infest him in his lands of Hilton, and pertinents thereof, excepting the "principale chemise" of the said barony and one husband land and the sixth part of another husband land which the said Earl reserves for doing of the service he owes to the King as overlord, and for the holding of his courts, and excepting also the tenandries of the said barony and the superiority of the tenants of the same, which the Earl reserves to himself and his heirs. He further narrates that with these exceptions the above lands were disposed by the deceased Alexander, Lord Kilmawers, "foirbear" of the said Earl,

as Baron of Hilton, to the deceased Adam Blacater of that Ilk, "foirbear" of the said Andrew, long before the forfeiture of the said barony; notwithstanding whereof he obliges himself and his heirs and assignees, on receiving payment from the said Earl and his heirs upon the altar of St. James the Apostle in the Collegiate Church of Sanct Gele in Edinburgh of the 200 merks for which the said lands were formerly wadset and of the 80 merks which he has now paid to the said Earl towards his payment of his composition for the said lands and barony of Hilton, and on receiving further a lease of these lands for seven years, to resign the same in favour of the said Earl and his heirs; dated at Edinburgh, 13th May 1508; witnesses, Alexander Cuninghame, Sir Walter Nory, provost of Kilmawers, Sir Ninian Cuninghame, chaplain, Robert Cunningham, William Galloway, Archibald Manderstoun and James Hume.—(Signed) ANDRO BLAKAT off yat Ilk.

579. Discharge by William Conyghame, Master of Glencarne, to Beatrice Blacater and Margaret Blacater, nieces and heirs of the deceased Andrew Blacater of that Ilk, for 16*l*. Scots, as the rent of the Manse, one husband land, and the sixth part of another husband land in the barony of Hiltoun, belonging to Cuthbert, Earl of Glencairn, the discharger's father and him, for all terms preceding the date hereof, and discharging the same to them, and Alison Dowglass, their mother; dated at Edinburgh, 10th February 1538; witnesses, Symoun Prestoun, provost of Edinburgh, Edmund Kyncaid, burgess thereof, John Hwyme, Sir Robert Lyddell and Mr. John Pebliss, notary. Signed by the discharger.

580. Letters of Gift under the Privy Seal to John Hwme of Blacader of the nonentry of the lands of Hilton and advocacy of the kirk thereof since the death of the Earl of Glencarne, or the last lawful possessor thereof; dated at Dunbar, 6th July 1599. (Extract from the Register of the Privy Seal.)

581. Summons of removing at the instance of George Home, now of Wedderburn, against John and David Home, portioners of Blakader, and Robert Broun, Archibald Richartsoun, Henry Strang, William Gilry, Symon Prestoun, John Brounhill, John Wyld, John Maw, Sir Thomas Henrysoun, William Broun in Haymouth, Peter Dykes, William Neisbet, John Crawford, Thomas Broun, Patrick Thomson, Elspeth Rechartsoun, John Reid and Robert Neisbet, as tenants and occupiers of the lands and barony of Hilton; dated at Edinburgh, 7th May 1583.

9. KIMMERGHAME.

582. Transumpt of a charter of confirmation by King James the First of a charter by Margaret Stewart, Countess of Mar, daughter of the deceased (Thomas) Stewart, Earl of Angus, to her brother . . . (torn) . . . John of St. Clair, lord of Hirdmastoun, of all her lands whatsoever within the town of Kymerrgham and territory thereof, the superiority of which has been resigned by her sister, Elizabeth Stewart, in her pure virginity; to be held of the granter in fee and heritage for payment of

1d. annually in name of blench, if asked; dated at the Castle of Temptaloun, 2nd January 1378; witnesses, William, Earl of Douglasdale and Mar; Sir Alexander of Lyndesay, lord of Glennesk, Sir Walter of Haliburtone, lord of that Ilk, Sir William of Lyndesey, lord of Biris, and Patrick Hepburn, lord of Halis, knights; Alexander of Ramsey, lord of Dalwolsy, Alan Lawder, and William Borthwic, lord of Caituod (?). The King's confirmation is dated at Edinburgh, 9th May 1429; witnesses, John, Bishop of Glasgow, Chancellor; John Forrester, Lord Chamberlain; Sir Walter of Ogilvy, knight, Lord Treasurer; William Foulis, provost of the Collegiate Church of Bothville, Keeper of the Privy Seal, and Mr. Thomas de Myrstone, Dean of Glasgow. The transumpt was made at the instance of Mariota Sinclar and Margaret Sinclar, daughters and heiresses of the deceased John Sinclar of Polwart, son of the deceased John Sinclar of Hirdmastone, whose husbands were respectively George Home and Patrick Home, who by their procurator, Gilbert Lummysdane, applied for the same to John of Ottirburn, Licentiate in Decrees, Provost of the Collegiate Church of Methven, Canon of Glasgow and Official of St. Andrews within the Archdeaconate of Lothian. He having given due notice and received no objections, furnished the transumpt desired, dated at the Consistorial place of the parish church of St. Giles of Edinburgh, 20th March 1468; witnesses, Mr. Robert Halcurstoun and Gilbert Ottirburn, rectors of Cultyr and Slansys, and William Scot and Patrick Weyr, vicars of Ednam and Benyn (?). Robert Cotis, priest of Glasgow diocese, is notary.

583. Precept by William of Douglas, Earl of Angus, and lord of Jedworth Forest, Liddesdale and Bonkil, directing his bailie of Bonkil to give sasine to John of St. Clair in the lands of Kymbegham with their pertinents in the barony of Bonkil as heir of his deceased father, William of St. Clair of Hirdmanstoun, knight; dated at Temptalone, 15th May 1437.

584. Instrument of Sasine, dated 20th November 1461, given by John Sinclar of Hirdmanston to William Sinclar, his son, of a temple tenement in the town and territory of Kimmerghame; witnesses, George Sinclar of Blance, Robert Ramsay of Cullerhop, and others; George of Lauedre, clerk of St. Andrew's diocese, being notary.

585. Instrument of Sasine, dated 11th March 1462, in favour of William de Sancto Claro, son of John de Sancto Claro, lord of Hirdmanstoun, in the lands of Kymberiam, granted to him by his said father for his many good and deserving services; proceeding on a precept by his father, dated at Hyrdmanstoun, 6th March, 1462, to which Alexander Cokburn of Ormystoun, George of Sinclair of Blance, Patrick of Sinclair, the granter's son, and others are witnesses. The precept is directed to Alexander Cokburn of Langtoun, and William of Sinclair, as bailies, and the latter gives sasine at the Lonyng of the town of Kymberiam, John de Haliburtoun, priest of St. Andrews, being notary.

586. Retour of the special service of Mariota Synclar as one of the lawful and nearest heirs to John Synclar, her grandfather, in half of the lands of Kymbyrgiame, with pertinents, with the superiority thereof and service of free tenants, lying in the regality of Bonkil and sheriffdom of Berwic. The lands are valued at 20*l.* scots, and at as much in time of peace, and are held in chief of the Earl of Angus, in whose hands they have been, as superior, since the death of the said John Synclare, which took place on 20th December last, 1466. This retour was exped in the tolbooth of Berwick-upon-Tweed on 7th April 1467, before Adam of Hepburn of Dunsyar, sheriff of Berwick, and the following jury of inquest:—Robert of Laweder of Edryngtoun, Adam of Nesbet of that Ilk, Robert Inglis of Lochend, Adam of Blacader, David Lummysdene of Blenhern, John Atkynsoun of Lathome, Thomas Lumysdene of that Ilk, Nicholas of Paxtoun, John Ellame of Butterdene, Patrick Sleich of Cumliche, Nicholas Forman of Hutoun, Thomas Edyntoun of that Ilk, John of Lumysdene, Alexander of Manderstoun, James of Kells, Robert Dicsoun and Patrick Jedwort of Gamylschelis, esquires.

587. Extract from the Register of the Privy Seal of Precept for Letters of Gift to James, Earl of Morton, of the ward and nonentry of the lands, lordships and baronies of Douglas, Bothwell, and Craufurd Douglas *alias* Craufurd Lindesay, in the sheriffdom of Lanark; the lands of Thomptalloun and Reidsyde in the constabulary of Hadingtoun and sheriffdom of Edinburgh; the lands, lordships, baronies and regalties of Abirnethie in the sheriffdom of Perth, of Kerymure in the sheriffdom of Forfar, of Selkirk in the sheriffdom of Selkirk, of Jedburcht Forest in the sheriffdom of Roxburgh, and of Bonkle and Prestoun, with the lands of Kymmerghame in the sheriffdom of Berwick, with all others which pertained to the deceased George, Master of Angus, and his predecessors, and for all the years since his death till the entry of the lawful heir of lawful age; dated at Edinburgh, 8th December 1561.

588. Certificate of Discharge by Mr. Henry Makcalzeane, Justice-depute, under the Seal of Justiciary, in the tolbooth of Edinburgh on 15th July 1581, to Adam Forman, William Broun, Thomas Wood, Richard Reidpeth, Patrick Sinclair and John Sinclair, all in Kymmerghame, who compeared to answer to an accusation of having gone with others armed and in warlike manner to the number of twenty persons, and with molesting on the highway Jean Hepburn, Lady Polwart, James Aikman, messenger, and George Spark in Polwart, within the town of Kymmergham, invading the said James Aikman for his slaughter, taking him captive and detaining him as prisoner in the place of Wedderburn for one hour; striking and beating of the said Jean Hepburn to the great danger of her life, and wounding the said George Spark in his head, to the great effusion of his blood; all on 24th April last. They had denied the charge and were absolved therefrom by an assize.

10. LAUDERDALE.

589. Charter by William, Earl of Douglas, lord of the valley of Lidelle and [*torn*] of Lawedre, confirming a charter granted

by John of Erthe to William, son of John the son of William, and Lady Mary, his spouse, of the lands of Dene, Scottestoun and the Toftes within the barony of Haltoun and constabulary of Lawedre, and that for his faithful counsel ; to be held by them and their lawful heirs of the granter blench and of the chief lord of the fee for the customary services. The charter by John of Erthe is undated, but the witnesses are William, Earl of Douglas, chief lord of the foresaid lands, Sir Archibald of Douglas, and Sir William of Gledstanes, knights ; Adam of Hoppringle, and others. The charter of confirmation is also undated, but the witnesses are Sir Archibald of Douglas, Sir William of Gladstanes, Mr. Richard of Foggou, canon of Glasgow and rector of Douglas ; Sir Richard Small, rector of the Church of Rathou ; William Mautalent, William, the granter's clerk, and others. The charter is somewhat torn. Both are probably about 1360.

590. Charter by William, Earl of Douglas and Mar, Lord of Liddesdale and of the Constabulary of Lawedre, to the following effect. That seeing our beloved cousin, John of St. Clair, holds heritably of us the lands of Carfra and of Hirdemanstoun within the foresaid constabulary for homage and service, suits of court, with wards, reliefs and marriages, so we will that the said John and his heirs shall hold the said lands of Carfra as at present of us and our heirs with the said burdens and customs ; and for the tenderness which we bear to the said John, and not without cause, we grant, dispone and by these presents confirm to him the foresaid lands of Hirdemanstoun with their pertinents in free blench. These lands are to be held as above of the granter for payment as said is, viz., for Carfra, the customary services, with ward, relief and marriage, and for Herdmanstoun, a pair of gilt spurs at the granter's castle of Lawedre, at the feast of the nativity of John the Baptist, in name of blench farm, if asked. Dated at Thomptalown, 17th June 1377.

591. Charter by Archibald, Earl of Douglas, and Lord of Galloway and of the constabulary of Lauder, as follows:—Whereas our beloved cousin, William of St. Clair, has held heritably of us the lands of Hirdmanston within the constabulary foresaid in blench farm, and the lands of Carfrae within the same constabulary for homage and service, suits of court and ward, relief and marriage, so we are willing that the said William and his heirs shall hold the said lands of Hirdmanstoun of us and our heirs in blench farm as formerly ; and on account of the tenderness which we have for the said William, and not without cause, we give, grant and by these presents confirm the lands of Carfra aforesaid to them also in blench farm ; both to be held of the granter and his heirs therefor in blench farm for payment of a pair of gilt spurs at the Castle of Lauder at the feast of the Nativity of St. John the Baptist, if asked ; dated at Dunbar, 20th January 1401.

592. Charter by Archibald, Earl of Douglas, Lord of Galloway and Annandale and of the regality of Lawder, whereby he confirms a charter by William of St. Clair, knight, lord of Herdmanstoun, with consent of Margaret, his wife, wadsetting to David of

Edmouthston of that ilk for 140 merks, his lands of Carfra, viz., the mains and town thereof, and another land called the mill land lying in the fee of Carfra within the regality of Lawder; dated at Edinburgh, 31st January 1413; witnesses, Thomas of St. Clair, Alexander of Graham, Andrew Wricht and Alexander of Cragy. The charter of confirmation is dated also at Edinburgh, 31st July 1415.

593. Retour of the special service of Oswald Purves, as heir of William Purves, his father, in four carucates of land, with pertinents, in the town and territory of Ersilstone, within the earldom of March and shire of Berwick, which are of the annual value by the old extent of 8*l.*, and now of 16*l.*; and are held of the King blench, for payment of a pair of gloves at Martinmas, if asked. They have been in the King's hands for two months, and the said Oswald is of lawful age. The retour was exped at Aytone before Patrick Home of Fastcastell, sheriff depute of Berwick, on 1st October 1504, by the following jury:—Thomas Adingtoun of that ilk, David Chyrnsyd of Est Nesbyt, Alexander Ellem of Butterdene, Walter Lauder, Norman Lummsdene in Coldinghame, William Retpeth of Grenside, William Haig of Bemyside, George Trotter in Susterpeth, Ninian Trotter of Flemyngswallis, Richard Cok in Pynkertone, Richard Ellem, Patrick Aldincraw in East Restone, John Aldincraw there, Alexander Ellem in Rayntone and Patrick Stewart.

594. Charter by King James the Fourth under the great seal to Alexander Lawder, provost of Edinburgh, and Janet Paterson, his spouse, in liferent, of the lands of Thirlstane and others, which belonged to the deceased William Maitland of Lethington, grandfather of the present William Maitland of Lethington, and were recognosed by the Council on account of the nonentry of the heir for over twenty-five years and a term. Dated at Edinburgh, 31st May 1509; and described under this date in the *Registrum Magni Sigilli*.

595. Instrument of Sasine, dated 14th March 1583, in favour of Thomas Leirmonth, son and heir apparent of John Leirmonth of Erslingtoun, in those two acres of Erslingtoun which formerly belonged to the deceased Thomas Rymour, lying in the town and territory of Erslingtoun, Earldom of March and sheriffdom of Berwick, and which the said John had resigned; proceeding upon a Precept granted by Sir Alexander Henrysone, Master of the Hospital of Trinity College Church near Edinburgh, with counsel of Robert Pont, provost of Edinburgh, and of the prebendaries of the said church, superiors of the said lands, dated 7th April 1576. Sasine was given by Thomas Tait; witnesses, Christopher Cuninghame, John Maissoun and Hugh Donaldson in Erslingtoun and Robert Patersoun in Cawersyd.

11. WHITSOME.

596. Charter by Patrick Hepburn, Lord Halis, to his son, Alexander Hepburn, and the lawful heirs male of his body, of his lands of Qwhytsun with their pertinents in the sheriffdom of Berwick, but reserving to himself and his heirs the services of

the tenants and advocacy of the church thereof; to be held of the granter blench; dated at Hales, 11th February 1462; witnesses, Mr. Patrick Hepburn, rector of the church of Lyntoun, the granter's "beloved son," James Cokburn of Stobbiswode, Adam of Qwhitelaw, Patrick Thomson, William Barbour, and Alexander Clark, notary. The granter's seal is appended.

597. Instrument of Sasine, dated 10th November 1517, in favour of Alexander Hepburne, son and heir of the deceased Alexander Hepburne of Duntervy, knight, in the lands of Quhitsum; proceeding upon a precept of *Clare constat* by Patrick, Earl of Boithuile, and John, Prior of St. Andrews, his tutor testamentar, dated at Haddington, 17th September 1517, and directed to John Balfour, messenger, Thomas Naper and William Browne. The last named gives the sasine to Alexander Fokart, as attorney for Alexander Hepburne, James Hume, priest of St. Andrew's diocese, being notary.

598. Precept by King James the Sixth directed to Alexander Weddell in Little Montoun for infesting Alexander Hume of Manderstoun and his heirs and assignees in the lands of Quhitsum in the sherifffdom of Berwick, which formerly belonged heritably to Alexander Hepburn of Quhitsum, knight, held by him from the deceased James, Earl of Bothuile, but which have fallen into the hands of the said Earl and Alexander Hepburn; dated at Edinburgh, 3rd February 1568.

599. Copy of an entry in the Register of the Privy Seal, (extracted by Daniel Hay) noting a Precept for a Charter to William Home of the fourteen husband lands and a cottage land in Quhitsum called Hepburn's Quarter, in the parish of Quhitsum and sherifffdom of Berwick, occupied by William Pollwart, David Polwart, Thomas Johnnestoune, John Cokburn, and Patrick Jaffray. The lands belonged formerly to Francis, sometime Earl of Bothwell, or Hercules Stewart, his brother, but are now in the King's hands through the said Earl's forfeiture. They are to be held in fee and heritage for the customary services. Dated at Edinburgh, 12th November 1592.

600. Feu Charter by Patrick Hepburn of Quhitsum to Alexander Fokhart, elder in Quhitsum, of a husband land and others there, for the yearly payment of the old rental of 3*l.* 10*s.*, with three and a half capons and one hen and three-fourths of a hen, and 11*s.* 8*d.* of augmentation; dated at Edinburgh, 7th June 1595; witnesses, Patrick Cokburne, tutor of Langton, Richard Cass, W.S., and others.

There is a series of thirteen charters by the portioners of Whitsum, viz. Alexander Fokhart, elder, and Alexander Fokhart, younger, Henry Haitlie, William Sampson, Robert Craufurd, William Wasoun, Alexander Crocebie, Patrick Dickson, George Innerweik, John Thorbrand, Robert Sampsoun, Patrick Yaloleis and John Crawford, to Elizabeth Home, spouse of Patrick Cokburne of Easter Borthwick, tutor of Langtoun, in liferent, and Patrick Cokburne, his eldest lawful son, in fee, of annual rents from their husband lands there; dated at Whitsum,

6th August 1595; witnesses, Thomas Cokburne, brother german of the said Patrick Cokburne, elder, Patrick Cokburne in Langtoun, Robert Graden in Crages, and Alexander Cuik and John Bukholme, notaries.

IV. MISCELLANEOUS WRITS AND MSS.

601. Precept by Adam of Hepburne, Lord of Hales, and Steward of the Earldom of March, knight, directed to Philip of Nesbyt of that Ilk, Thomas Dicson of Mersyntoun, and William Dicson, as his bailies, intimating to them that he has received a brieve from chancery, and appointing them to give sasine to John of St. Clair, son and heir of John of St. Clair of Hyrdmainstoun, and Katherine, his spouse, and the survivor of them, in the lands of Polworde, with pertinents, lying within the Earldom of March; dated at Hales, 1st January 1443-4.

602. Charter by King James the Second to David of Anstruthir, son and heir apparent of John of Anstruthir of that Ilk, of the lands of Moreistoun, with their pertinents in the sheriffdom of Berwick, which belonged to the said John, his father, having been recently redeemed from Alan of Lawedir of the Tower of Lawedir and resigned for this regrant by Henry of Bikkertoun Castle, as procurator of the said John; to be held of the King as Steward of Scotland for the customary services; dated at Edinburgh, 19th May 1445; witnesses, James, Bishop of Dunkeld, Chancellor; William, Earl of Douglas; William, Lord of Summerwell; James of Lewingstoun, Custodian of the King's person and Captain of the Castle of Stirling, Alexander of Hwme of that Ilk, James of Auchinlek of that Ilk, and William of Cranstoun of Corsby, knights; Mr. William Turnbull, Keeper of the Privy Seal, and John de Railston, Secretary to the King.

603. Agreement, dated 20th May 1462, whereby John Landalis, son and heir of the deceased John Landalis, burgess of the Canongate, for the sum of 50s. yearly, leases for three years to John Sinclair, Lord of Hyrdmonstoun, a tenement in the Canongate on the north side thereof, between the lands of John Talzour on the east and Adam Cordwaner on the west; done in the dwelling house of David Rede, notary; witnesses, John Heryot, Edward Stephinsoun, James Beruyk and James Bull; James Inglis, priest of the diocese of Glasgow, being notary.

604. Notarial Instrument, dated 2nd May 1472, narrating that in presence of the subscribing notary and witnesses William Neving, King's messenger, with the underwritten witnesses went to the presence of Archibald, Earl of Angus, and presented to him certain letters from the King written on paper and sealed with his signet, requiring his answer, which letters having been read and understood the said Earl replied and said—That he was burdened by these letters to hold a certain court on a certain day named therein for administering of justice between William Sinclair of Hirdmanston and his opponent, which day contained in the said letters he could not or was unwilling to keep; but he said he would communicate with the Lords of his Majesty's

Council and advise with them thereupon. Upon which the said William Neving asked instruments. This was done within the lodging of the said Earl at Edinburgh; witnesses, John of Carmichell, Alexander Home, David Eddington, David Frog, Adam Sinclair, George Sinclair, Hugh Spens, and Henry Fethy; Robert Marcial, clerk of St. Andrew's diocese, being notary.

605. Retour of the special service of Thomas Broun, as son and heir of John Broun, in a carucate of land with pertinents on the north side of Flemingtoun, valued at four merks annually and held in chief of the Laird of Lestalrik and Flemingtoun for service of ward and relief, such services being given as neighbouring tenants in these lands are accustomed to give; exped before Henry Congiltoun, Sheriff depute of Berwick, at Berwick on 20th May 1477, by the following jury:—Robert Lawder of Edrington, Thomas Edington of that ilk, Thomas Lumisden of that ilk, Philip Nesbit, William Douglas, Archibald Manderstone, Robert Nesbit, William Lawder, John Skougalle, Edmund Nesbit, David Byne, Richard Cok, Patrick Nesbit, Walter Manderstone and John Edington. John Broun has been dead three months, and his son is of lawful age.

606. Copy of a Petition to the Pope, commencing—*“Beatissime Pater ut animarum saluti devotorum oratorum vestrorum nobilium Roberti Lawdir, filii et apparentis heredis Domini de Bass, baronis de Stantown, etc.; Kentigerni Hepburn, Gilberti Kynnate et Patricii Skowgale ac Alexandri Sidserf, neonon Wilelmi Douglas, Johannis Fostare, Wilelmi Sinclare, Philippi Nesbeth, Gilberti Wauchop, David Rentoun, Johannis Nesbit, Wilelmi Gibsoun, Alexandri Home, Thome Arnot, Archibaldi Dunbare, Thome Home, Johannis Salmont, Hugonis Dunbare, Gawini Home, Wilelmi Mandirstoun, Johannis Abirnethy, Sancti Andree dioceseos, Johannis Somerviel, Glasguensis dioceseos, ac omnium conjugatorum uxorum et eorundem utriusque sexus liberorum salubrius consulatur, supplicant igitur Sanctitati vestre prefati oratores quatenus eis, etc.”* They crave that a competent confessor or priest of any secular order may be appointed to absolve them from excommunications, suspensions, interdicts and other ecclesiastical censures or penalties which they may have incurred, and in special *“in quibusdam literis Apostolicis ad instanciam Regis Scotorum contra conspiratores sive rebellis in ipsum regum Scotorum contentis latis, incursis et promulgatis,”* referring to the letter from Pope Innocent the Eighth to James, Bishop of Imola, Legate Apostolic, in 1485, for restoring peace between King James the Third of Scotland and his subjects (printed at length in Theiner's *Vetera Monumenta Hibernorum et Scotorum*, p. 496), and referring also to the *“bello sive conflictu de Stirling,”* better known as the battle of Sauchie, at which that monarch was slain. The letter proceeds in the ordinary form and is attested by Robert Ayton, notary public, as being a true copy of the principal confessional which emanated from the Apostolic See in favour of the said persons, transumed by the said notary in presence of Patrick Glen, Henry Congleton and Sir William Slecht, notary, on penult January 1491. That the prayer of the petition was granted is

intimated by the word "Fiat" being written upon it against a resumé of the requests in list form at the foot of the document. There is a Bull of Absolution by Pope Innocent the Eighth in favour of certain persons in the West of Scotland who had rebelled against King James the Third printed in *The Douglas Book*, by Sir William Fraser, Vol. III, p. 385. It is dated 27th June 1491.

607. Precept by Patrick, Earl of Boithuile, Lord Halis and Creichtoun, directing Gavin Home and William Runseman to infest William Hume of Lochtullo and his heirs and assignees in the lands of Prendergaist, extending to twenty husband lands, with the mill thereof; and also the lands of Quhiterig, extending to fifteen husband lands, with their pertinents; lying within the barony of Hales by annexation, and sheriffdom of Berwick; which lands the granter has sold to the said William Hume; dated at Inverness, 13th March 1538; (signed) PATRIK, ERLE BOTHUILE. His seal is appended.

608. Copy Notarial Instrument narrating that on 16th October 1548, Sir Patrick Hepburn of Wauchtoun, knight, as procurator for Mr. George Hepburn, rector of Haucht, his natural son, passed to the presence of John, Bishop of Brechin, and presenting to him letters of presentation granted by the Queen, with consent of James, Earl of Arran, Governor of Scotland, dated at Levinstoun, 11th October 1548, in favour of the said Mr. George Hepburn, to the Chancellory of Brechin, vacant by the death of Mr. Alexander Turyng, formally required him to give collation thereupon. For reply the said Bishop stated that he had already done in this matter what it behoved the Ordinary to do, and therefore he declined to accede to the request, whereupon the said Sir Patrick Hepburn took instruments in the hands of the notary present, Richard Capper, priest of the diocese of Brechin; witnesses (the above being done in the Bishop's chamber), John Cokburn, rector of Kylmour, Mr. Alexander Vite, chaplain, and Henry Congiltoun.

609. Discharge by William Douglas of Quittingham to his "trest freind, Mr. David Home of the Brokholls," for 114*l.*, in payment of the price of the "cornis of the teind cornis of Eist and Westeris Brokhollis" of this crop, 1586.

610. Charter by William Home of Aytoun, with consent of Libra Hamiltoun, his wife, and Patrick Home, his eldest lawful son and heir apparent, also of Sir George Home of Wedderburn, Mr. Robert Bruce, minister of the Word of God at Edinburgh, and George Douglas of Parkhead, as the interdictors of the said Patrick Home, and of the Dean and prebendaries of the Collegiate Church of Restalrig and his Majesty, as his superiors; to James Wauchope, indweller at the mill of Boigend, of the lands of Ridcleuch and pertinents thereof, formerly alienated to him and now occupied by him; to be held of the granter under his said superiors for payment of the agreed-upon rent and duties; dated at Houndwood and Duns, 19th June and 1st November 1598.

611. Obligation by Mr. David Home, parson and minister at the kirk of Grenelaw, in which he narrates that Sir George Home of Grenelaw, Treasurer to our Sovereign Lord, has obtained a tack of the teinds of the parish kirk of Grenelaw for two liferents and two periods of nineteen years thereafter, from the date of his entry, which was in August 1602, from the Commendator of Kelso, his father, and that the said Sir George has presented him, the said Mr. David, to the parsonage and vicarage of Grenelaw; wherefore he promises, for himself and his successors, never to oppose the said tack in any way, under the penalty of the "tinsell of our perpetuall guid fame and name, and swa furth never to be repuit faithfull, honest, nor of trewth amangs ony worthie persones"; dated at Edinburgh, 31st March 1603; witnesses, Sir David Murray of Cospartie, knight, Comptroller; John Arnott, burgess of Edinburgh, and others.

612. Presentation by Sir John Home of Blacader, knight, of David Home, his second lawful son, to the chaplainry of the Virgin Mary in the parish kirk of Adderhame, for the space of nine years, for the education of the said David at the schools. It is vacant by the death of the former possessor. Command is given to Thomas Home, son of George Home of Cramecruik, to give possession. Dated at Blacader Place, 9th November 1610.

613. Charter by Alexander Wode, son and heir of the deceased William Wode in Dunbar, who was son and heir of the deceased Elizabeth Purves, who was one of the three daughters and heiresses of the deceased William Purves, portioner of Hutoun, in terms of contract between him and his deceased mother, Janet Lumsden, with consent of David Lumsden in Over Mordingtoun for his interest, to Sir John Home of Hutounhall, knight, and Elizabeth Carmichael, his wife, in liferent, and their children and the heirs of the said Sir John, in fee, of his third part of these lands called Purves lands with pertinents, extending to three husband lands, one cottage land and a 16s. land in the town and territory of Hutoun, Hutounbel and Crocery in the sheriffdom of Berwick; to be held feu of the granter for payment of 50s. yearly; dated at Hutounhall, 22nd February 1614; witnesses, Alexander Home, portioner of Hutoun, Alexander Furde and Walter Carmichael, servitors to the said Sir John Home, John Horne, notary, and Robert Pow, his servant. Confirmation of this Charter was obtained under the great seal on 1st August 1625.

614. Contract of Marriage dated at Prestonkirk, 26th May 1617, between Mr. Christopher Knowes, lawful son of the deceased Christopher Knowes, burgess of Dunbar, and Marion Hepburn, lawful daughter of Mr. Edward Hepburn, parson and minister of Hauche, who brings with her a tocher of 1,000 merks; witnesses, William Carnagie, burgess of Edinburgh, and Edward and John Nicolson in Prestonkirk.

615. Contract of Marriage, dated at Tofts, 14th August 1628, between David Home of Nynewells, and Helen, lawful daughter of John Belsches of Tofts, advocate. He binds himself to obtain service as heir to his deceased father, Andrew Home of Nynewells, or any other of his predecessors, in the four husband lands of

Nynewells, the lands called Dunbaris Hauche, *alias* Raunaldis Hauche, six husband lands at the east end of the town of Chirnside, two husband lands in Chirnside, and in all the lands acquired by the deceased David Home of Nynewells from the deceased Robert Logan of Restalrige and the deceased Sir George Ogilvie of Dunlugus, extending to twenty-four acres in the town and territory of Eyemouth; also in the lands in Hornedane and Paxton, and the fishing belonging thereto on the Water of Tweid acquired by the said deceased David Home of Nynewells, "guidsir brother" (granduncle) of the said David Home now of Nynewells, from the said Robert Logan and Sir George Ogilvie; and then infest his said future spouse therein in liferent. Her tocher is 8,000 merks, of which 5,000 are to be paid at next Martinmas and the remainder before Whitsunday 1630. The witnesses are Mr. Alexander Gibson, fiar of Durie, one of the Clerks of the College of Justice, Mr. David Home, parson and minister of Grinlaw, Mr. Henry Blyth, minister of Eckillis, James Inglis of Eistfeild, Mr. Robert Craig, advocate, and others.

616. Extract Decreet by John Home of Renton, sheriff principal of Berwick, in a Court held in the tolbooth of Dunse on 20th November 1628, ordaining a transumpt to be made from the Prothogol book of the deceased George Craig, notary, of an Instrument of Sasine, dated 14th August 1579, in favour of Andrew Galbraith, son and heir of the deceased Alexander Galbraith of Easter Wynscheillis, in the lands of Easter Wynscheillis, which proceeded upon a precept from Chancery, dated at Edinburgh, 20th August, in the thirteenth year of the King's reign. Sasine was given by John Cokburn in Chapelcleuch; witnesses, Robert Reidpeth, natural son to the deceased William Reidpeth of that Ilk, and David Galbraith, natural brother of the said Alexander.

617. Brieve of Inquest for the service of David Home, dated 1st June 1630, with indorsement to the effect that on the 17th of the same month David Home, now of Nynewalles, was served heir general of Andrew Home of Nynewalls, his great grandfather, in the tolbooth of Dunse, before Robert Cokburne of Blacksmiln, sheriff depute of Berwick, by the following jury:—George Achinlek of Cumledge, Robert Douglas, bailie of Coldingham, George Trotter, elder, of Prentonan, Alexander Trotter of Charteris, Patrick Cokburne of Caldra, John Home, elder, portioner of Newton of Whitsum, William Home of Linthill, James Redpath in Otlacleuch, John Graden, elder, of Langrig, William in East Nisbet, James Nisbet in Spittle, Thomas Duns in Oxindean, Nicolas Brountfeild in Oxinvir, George Ridpeth of Angelraw, and David Cowen in Dodingtoun.

618. Notarial Instrument stating that Alexander Gaittis, portioner of Dunse, as procurator of Sir John Home of Blakader, knight, passed on 29th September 1632 to the personal presence of Sir Alexander Nisbet of that Ilk within the place of West Nisbet, and intimated to him the said Sir John's intention to redeem the lands of Greinsyde, with their pertinents and the

salmon fishing upon the west ford of Norham, from him and Dame Katherine Swyntone, his spouse, by payment of the redemption money of 4,000 merks within the parish kirk of Edrham on 10th November next, and warning him to be then present there; witnesses, Robert Nisbet in Dunc, John Dewar, younger, there, and James Burne, lawful son of Alexander Burne, there.

619. Disposition by James Brounfeild of Quhythous, with consent of Margaret Spotswood, his mother, to Mr. John Home of Foulshotlaw and Janet Dickson, his spouse (for whom Abraham Home in Kennetsydeheids is cautioner), for 2,500 merks, of the third part of the four and a half husband lands of Hassington, with their pertinents, presently occupied by Andrew Johnstone, and which were acquired by the deceased Nycoll Brounfeild of Quhythous, father of the disposer, from the deceased George Ker of Fawdounsyde; and also the croft to the east of Hassington, called Clercroft. He likewise dispones the other two parts of the said lands of Hassington, held by him as kindly tenant from the Earl of Home; but all under reversion. Dated at Hassington, 11th April 1634; witnesses, James Brounfeild of Hardakers, Alexander and George, sons of Robert Diksone of Stainfald, and others.

620. Contract of Marriage, dated at Duns, 29th January 1645, between George Nisbet, lawful son of the deceased David Nisbet at the West Mill of Kymmerghame, and Isobel Home, lawful daughter of the deceased William Home in Manderstoun, with consent of Robert Home, her eldest lawful brother. They are to marry before the last day of February next. She brings a tocher of 2,000 merks and is to be infeft in the liferent of certain lands by the said George Nisbet.

621. Contract of Marriage, dated (July ?) 1648 between Patrick Johnstone, son of James Johnstone in Easterlaws of Whitsome, and Agnes Broune, lawful daughter of William Broune in Kymmerghame East Mill. They are to marry before 1st August next and James Johnstone is to receive the couple into household with himself and entertain them and their children honestly and sufficiently "in meitt, drink, beding and weiring cloathes" as becomes their rank and quality "swa lang as they sall happin to aggrie in houshold togidder." William Broune pays as tocher 500 merks.

622. Contract of Wadset by Robert Dickson of Buchtrig to Mr. John Dickson, minister at Kells in Galloway, for 5,000 merks of his six husband lands in the town and territory of Buchtrig, and his half husband land in the town and territory of Lethem, with the mill and mill lands of Letham, all lying in the parish of Eccles; dated at Wodderburn Myll, 15th August 1648; witnesses, John Home, fiar of Broomehous, and others.

623. Contract of Marriage, dated at Blacader, 23rd March 1653, between John Home of Nynwells (with consent of Helian Belsches, his mother, and John Home, uncle to the Earl of Home, her spouse) and Margaret Home, eldest daughter of John Home of Blacader (with consent of her said father and Margaret Dundas,

her mother), whereby John Home obliges himself to obtain infestment as heir to his father in the lands mentioned in his marriage contract (No. 615 *supra*) and to infest his said future spouse therein in liferent, under reservation of his said mother's liferent in the six husband lands in Chirnside, the two husband lands called Prebendar's lands, twenty-four acres of land in Eyemouth with fishings and cobbles thereof, the lands of Dunbar's Hauch, and a yearly sum of 800 merks out of the four husband lands of Nynewells. The lady's tocher is 6,000 merks. Among the witnesses are Sir Alexander Belsches of Tofts, Andrew Ker of L[inton], Mr. George Home of Cymmerghame, James Home of Castla (?), William Home of Linthill, and John and Andrew Home, uncles to the said John Home of Nynewells.

624. Instrument of Sasine of John Home of Blackader in the lands and barony of Blackader with pertinents; also in the lands of Fishweik with the harbour, loch and fishing thereof in the river Tweed, and on the promontory of St. Abes burgh, with all pertinents in the barony of Coldingham; also in the lands called Templar lands in the town and territory of Quhitsum and five butts and templar lands of Blackader; the lands and barony of Greinlaw Reidpeth with the lands of Bromhill and Blaissenbraid and lands of Greinlawdeane; the lands of Polkishauch and Blassenbraid *alias* Blassenberrie; the lands of Eistfeild, Whytsyd, Tenandrie, Markisworth and Claydub; the maynes and town and territory of Greinlaw with the teinds and patronage of the parish church of Greinlaw, all erected into the barony of Greinlaw Reidpeth; also in two husband lands in Elwetlaw and two cottage lands in Greinlaw in the said barony, in all of which his father, John Home of Blackader, died last infest about six and a half years prior to the date of the precept from Chancery—2nd April 1664—on which this sasine proceeds. Sasine is given at the manor places of Greinlaw and Blackader by Sir Henry Home of Heardrig, sheriff depute of Berwick, on 18th April 1664, among the witnesses being John Home of Bromhouse, and Mr. Robert Home, minister at Greinlaw.

625. Contract of Marriage between James Samsone, portioner of Whitsome, and Agnes Riddoch, widow of Adam Jamieson in Dunse. She has two children, Adam and Agnes Jamieson, by her first husband. The contract is dated 18th June 1667; witnesses, James Riddoch, writer, James Wallace, notary in Dunse and John Knox there.

626. Copy of Birth brief in favour of Mr. Alexander Home, dated at Edinburgh, 7th May 1668, setting forth that this Mr. Alexander Home, brother german of Sir Patrick Home of Polwart, knight baronet, being desirous of visiting foreign countries, had besought the King (Charles the Second) to grant this diploma certifying his birth and genealogy. It sets forth that the said Mr. Alexander Home was born in lawful marriage of parents and ancestors on both sides noble in this kingdom both in point of rank and merit, being procreated between his father Sir Patrick Home of Polwart, knight baronet, and

Dame Christian Hamilton, daughter of Sir Alexander Hamilton, baron of Innerwick ; and which Sir Patrick Home was son of Sir Patrick Home of Polwart, knight bachelor, procreated between him and Dame Julian Carr, his wife, daughter of Sir Thomas Carr of Farnherst, knight bachelor, and keeper of the Middle Marches of our said kingdom ; which Sir Patrick Home was son of Sir Patrick Home of Polwart, knight bachelor, procreated between him and Dame Agnes Home, his wife, daughter of Alexander Home, laird of Manderstoun ; and which Sir Patrick Home was son of Sir Patrick Hume of Polwart, knight bachelor, procreated between him and Dame Elizabeth Hepburn, his wife, daughter of Sir Adam Hepburn, baron of Wauchtoun ; and which Sir Patrick was son of Alexander Hume of Polwart, procreated between him and Margaret Crichton, his wife, daughter of Lord Crichton, and which Alexander was son of Sir Patrick Home of Polwart, treasurer of our said kingdom, procreated between him and Dame Mary Edmonstone, his wife, daughter of John Edmonstone of Edmonstone ; which Patrick Hume was son of Patrick Home of Polwart, procreated between him and Margaret Sinclair, his wife, daughter of John Sinclair, laird of Hermiston, and the said Patrick Home was second son of Sir David Home, baron of Wedderburn, who was second son of the Earl of Hume. All these ancestors of Mr. Alexander Hume enumerated in both these series were born in lawful marriage ; not a few of them died with honour in public offices ; and the rest transmitted to posterity a high reputation for integrity of life. Given under the great seal.

627. Precept of *Clare constat* by Mr. Mark Ker of Moristoun, with consent of Patrick Hume of Coldingham Law, John Achieson, one of the Clerks of Chancery, and Mr. John King, writer in Edinburgh, in which it is narrated that Anna Gray, lawful daughter of the deceased John Gray, portioner of Eymouth, and lately spouse of John Hume of Broomhous, died last infest in the due annual rent of a sum of 2,042 merks 6s. 4d., secured over the lands and others within the barony of Law, which belonged to the deceased Patrick Home, elder of Coldingham Law, and the said Patrick Home, younger thereof, his son, in terms of a bond, dated 7th June 1650, and sasine of Anna Gray therein on 2nd June 1652, and that John Hume, eldest lawful son of the said deceased John Hume and Anna Gray is nearest and lawful heir to his said mother, and is of lawful age. Sasine therein is accordingly directed to be given to him. Dated at Edinburgh and Coldingham 7th April and 9th June 1673.

628. Contract of Marriage, dated at Belchester, 28th November 1674, between Sir Harry Home of Heirdrig, knight, and Katherine Nisbet, Lady Belchester, with consent of Mr. Philip Nisbet in Ladielkirk, her brother german. He is to infest his future spouse in an annuity of 500 merks secured over his lands of Heirdrig, and she conveys to him the whole stock and plenishing of the lands of Belchester of which she is at present in natural possession, under the burden of payment to James Dickson of Belchester, her son, of 1,600 merks, or making over to him so much of the said stock and plenishing as will equal that

amount, or selling the whole to the said James and his curators for this sum. She stipulates that if her said son should die and his property thereby accrue to her, she shall be free to hold it in her own right. The witnesses are, Mr. James Daes of Coldin-knowis, advocate, Mr. George Dickson of Bughtrig, advocate, and Mr. James Nisbet, son to the said Mr. Philip.

629. A paper entitled "The Offices of State and other offices which the King himself bestowes." Written probably about 1696.

1. The Lord Chancellour his fie is 3 or 4,000 merks yearlie. Since the Earle of Rothes his tyme every Chancellour hes had besides his fie 1,500 lib. sterline yearly of pention, but befor his time the pension was 1,000 lib. sterline. The Chancellour hes besides the benefite of the great seall, quibich is but casuall, and one year with another it cannot be reckoned above 400 lib. sterline. The Chancellour names alwayes a Wryter to the Signett to keep and append the seall who has some benefite by it, and lykeways appoints any persone he pleases to cary the purse, who hes a just 3d pairt of the Chancellours dues for all things that pass the great seall.

2. The Treasurer's fie is 4 or 5,000 merks yearlie ; his pension 1,500 lib. sterline. He hes not office to dispose of nor any other casuality if he be honest.

3. The President of the Privy Councell, though not ane officer of State, has 1,000 lib. sterline pension, and takes place of the Privie Seall. He hes noe other casuality but his pension.

4. The Privie Seall hes now 600 lib. sterline fie, and the Marquis of Athole, last Privie Seall, got 800 lib. sterline pension. The benefite of the seall is not to be reckoned above 2,500 merks one yeir with another. He has a priviledge to name a deput who gets for his pairt a half of what is due to the Keeper of the Privie Seall, and he hes noe other place to bestow.

5. The Secretarie, when sole, had 1,500 lib. pension. His fie is small. But the last tuo Secretaries had 1,000 lib. each of pension. The Secretaries have the benefite of the Signett. It may be reckoned one year with another 20,000 lib. Scots free and the keepers dues payed. Besides, the Secretaries have the placing of all the Shireff Clerks in Scotland except 4 or 5 who are placed by the Shereffs themselvs, being heretable shereffs, and haveing it in their gift to choise their oune clerks. The Secretaries of late exacted 7 lib. sterline for everie protection, signature or letter that past the Kings hand, which proved a considerable benefite to them. They lykeways tooke round compositions to procure gifts, remissiones of crimes and dischairges of fines, but these were looked upon as illegall exactiones and greevances and are not now to be practised. In Lauderdales tyme and after, when Murray was sole secretarie, every Wryter to the Signet payed only to the Secretary 500 merks Scots for his admission, but when wee got 2 secretaries the admission of Wryters was scrued up to 800 merks.

6. The Register hes of fie 40 lib. sterline. His pension hes ever been since King Charles the 2d. his restauration 400 lib. sterline, and 200 lib. sterline more as a Lord of the Sessione,

His ordinarie benefite by subscriptions cannot be reckoned to exceed 7 or 8,000 merks yearlie. In tyme of Parliament he hes a benefite by ratificationes and takeing in of commissiones, but that is not very considerable. The Register by his office hes the power to present the 6 principall Clerks of Session, the Clerk to the Bills, the Keeper of the Generall Register of Horneings and Inhibitions at Edinburgh and the Keeper of the Generall Register of Seasines. He lykewayes appoints the Keepers of the Particular Registers of Seasines, Horneings and Inhibitiones throw out all the shires of Scotland. He likewayes names all the Clerks of Exchequer who have their places be his gift immediatly; and he appoints a Clerk for the Admission of Nottaris. All thir offices he bestowes for life so that none of them falls upon the death of the Register or otherwise, excep in the caice of malversatione.

7. The Tresurer deput hes 500 lib. pension; but a small fie. He hes noe other casuality by his office.

8. The King's Advocate hes 500 lib. pension.

9. The Justice Clerk hes 500 lib. pension, and if he be a Lord of the Session he hes 200 lib. more. He disposes of the Clerk to the Justice Court his place when it vaikes. He hes noe other casuality.

10. The Justice Generall is a place of greater honour then benefite. The ordinarie pension is 200 lib. sterline.

11. The King lykewayes disposes of the office of Director of the Chancellarie, the profite quhairof yearlie may amount to 8 or 9,000 merks Scots, besides the benefite the clerks have who are put in and out by the Director at his pleasure.

12. The Wryter to the Privie Seall hes 10 lib. sterline or 200 merks Scots yearlie of fie. The other casualittes are not reckoned to be above 100 lib. sterline *communibus annis*, and some years it will come short of that.

13. The Keeper of the Tresurers Register is lykewayes disposed of by the King immediatly. It hes of pension 1,600 lib. Scots, and the casualities of it may weell be reckoned, *communibus annis*, to 1,000 lib. Scots.

14. The Clerks of the Counsell have 100 lib. sterline pension each, besides the casualities of the office, quhich have been very considerable.

The King makes all the macers both of Councell and Exchequer and also the Lords of Sessions macers. Ther fie is small but ther casualities are considerable, soe that one way and another a macers place is worth 100 lib. sterline a year.

630. Testament dative of Robert Trotter, Doctor of Medicine in Edinburgh, who died in September 1727, given up by Rachel Ramsey, his widow and executrix qua creditor, in terms of their contract of marriage, dated 20th and 23rd August 1675, by which she is entitled to half of the plenishing of the house, and she is also assignee to a bill of 60*l.* due by her deceased husband to Mr. David Watson, writer in Edinburgh, and payable by his order to Christian Blackwood, widow of Mr. William Ross, schoolmaster in Edinburgh. She is confirmed executrix on 14th August 1729. The defunct's estate is valued at 340*l.* 18*s.* 0*d.* and there are in addition debts due to him amounting to

1,233*l.* 6*s.* 8*d.* ; among the debtors being George Home of Whitefield and George Windraham of Eyemouth for 1,000 merks, contained in a bond granted by them to Jean Trotter, widow of Mr. William Calderwood, minister of Ligerwood, dated 7th January 1712, which bond she had assigned to the defunct. The testament is confirmed by Sir James Smollett, Sir John Elphinston, Mr. Andrew Marjoribanks, and James Paterson, commissaries of Edinburgh, and Mr. George Smollet, conjunct commissary with the said Sir James, on 3rd September 1729.

631. Inventory made by Mr. Ninian Home of the lands of Billie and Auchincraw purchased from James Renton of Billie and his creditors. This contains notes of the following documents, among others:—

1. Charter by Thomas Steuart, Earl of Angus, Lord of Bonkle, to John de Renton, son and heir of John de Renton, dated at Roslin, 22nd August 1344, in which it is narrated that the heirs of Sir Henry de Sinclair were obliged to do homage to the said Earl and his heirs and successors for the said lands of Billie, and that now at the prayer and request of his son-in-law and kinsman, William de Sinclair, Lord of Roslin, the said Earl doth free and absolve the said William and his heirs of the homage due for the said lands of Billie and their pertinents, granting that the said John de Renton shall hold the lands of Billie immediately of him, the said Earl, and his heirs, without the intervention of the said Sir William de Sinclair and his heirs, and that the said John de Renton and his heirs do homage and all other customary services for the said lands of Billie to the said Earl and his successors.

2. Charter of Confirmation by King David the Second, dated at Edinburgh, 1st September 1346, of a Charter by John de Graham, son and heir of the deceased Sir John de Graham of Abercorn, to John of Renton, burgess of Berwick, of his lands of Billie with their pertinents lying in the barony of Bonkle, to be held of the granter for payment of a rose upon the feast of St. James the Apostle, and to the Lord of Bonkle of 8*s.* sterling, with ward and the customary suits of court at Bonkle. The witnesses to the confirmation are Robert, Steward of Scotland, the King's nephew; John Randolph, Earl of Moray, Lord of Annandale; Patrick de Dunbar, Earl of March; and Thomas de Carnato, Chancellor of Scotland.

3. Charter of Resignation by William de Douglas, Earl of Angus, Lord of Jedburgh Forest, Liddesdale and Bonkle, to David Renton and the heirs of his body, whom failing, to Thomas, his brother, and the heirs of his body, whom failing, to the heirs whomsoever of John Renton, their father, of the lands of Billie, to be held for payment to the granter of the customary services; dated at Lufno, 1st July 1433; witnesses, Adam de Hepburn of Hales, William de Chriestoun of that Ilk, and Robert de Lawedre of Edrington, knights; Walter de Haliburtoun of that Ilk, Lawrence de Abernethy of Rothemay, John de Sinclair of Hermitoun and John de Sinclair of Lochformacus.

4. Charter by Elizabeth Lamb, prioress of the Monastery of St. Bothens, with consent of Margaret Chirnsyde, Janet Crow,

and Margaret Young, nuns, to John Renton, son and apparent heir of David Renton of Billie, of the lands of Nunmeadow and Nunbotts, lying in the territory of Auchinceraw and barony of Coldingham, and the lands of Nunflat lying within the Mains of Billie, and barony of Bonkle; to be held of the Prioress and her successors for the annual payment of 17s. Scots as feuduty; dated at St. Bothens, 6th March 1557-8. Archibald Renton, notary, signs for the granters as they cannot write.

This Inventory also includes the title deeds of West Reston.

632. Another Inventory by Mr. Ninian Home of the lands in East Reston called Cockburn's lands, Hungryhaugh, Craws lands, &c.

633. Another Inventory by him relative to the lands of Whytfeild and others.

634. Folio volume being a Latin copy of Mr. David Home of Godserofts' "*Humiorum res gestæ præcipue ex familia de Wedderburne*," written by John Law, writer in Edinburgh. From this copy the print for the Abbotsford Club was taken.

635. Notes taken by Mr. Ninian Home of the prelections of Professor William Law in the University of Edinburgh in the years 1691-1693; the subjects being Logic, Metaphysics, Moral Philosophy and Natural Philosophy; written in Latin and illustrated with diagrams; also a Treatise on Theology.

636. A number of Volumes of Notes by Patrick Home, Surgeon, R.N., some of them detailing his medical and surgical labours on board of a number of H.M. ships, on which he successively served about 1723-1740 and later. Lists of the sick seamen are given, and frequently details of their cases. He was present at Gibraltar during the siege in 1727 and gives details of the Spanish army and the officers and numbers killed and wounded; the instructions given to the Spanish army at the commencement of the siege, and of the artillery service of the British and casualties. There is a certificate of the admission of Mr. Patrick Hume, Surgeon of H.M. Ship Squirrel, as a member of the St. Andrew's Club at Charlestown in South Carolina on 31st May 1733, signed by A. Home, president, and James Michie, clerk.

637. A number of volumes of Note-books, comprising diaries and copy letter book of Patrick Home of Billie, 1740-1812, during his travels on the Continent, and especially in Italy; including also estate books of various kinds. There is also a diary by Patrick Home's wife, for the period immediately before and after her marriage to him at Nice in May 1771, giving interesting descriptions of scenery in the Riviera and Italy, and the sights in Rome and Naples.

638. Small quarto volume, containing chiefly copies of letters by Patrick Home of Billie in the years 1754, 1755; but also some notes about estate and personal matters. Among these are the following :—

"Monday, 19th December 1744, about 12 or 1 o'clock in the forenoon, died Mr. Ninian Home of Billie, aged, as I suppose, 79."

"Edinburgh, Monday, 4th March 1745. On Sunday morning, just betwixt 12 and 1 o'clock, died Ninian Home, son to Mr. Home of Billie, and was buried this day at nyne in the morning in the Grayfriars Churchyard, on the north side of his father in Kincaid's tomb, on the south side of the entry to Heriot's work."

"List of the Barons and Freeholders of the shire of Berwick, voters for a member of Parliament, made up by the meeting of Freeholders of the Michaelmas head court, held at Grinlaw, 2nd October 1753." Here follow 68 names.

639. Folio volume, being a Decreet of Declarator of Astriction at the instance of Patrick Home of Billie against John Bayne and other, including Thomas Trotter of Mortonhall, called portioners of Coldingham, dated 3rd July 1764, and going on to 26th January 1776, when final decree was pronounced; extending to 516 pages.

640. Protocol Book of George Home, writer, Edinburgh, who was admitted notary public on 5th July 1757, of which only eight folios are written upon, and most of the documents recorded are Sasines of persons of the name of Home in the year 1758.

641. Folio volume, being Decreet of Absolvitor in the cause between William Boig and John Foreman, dated 19th June 1759.

642. Thin folio volume entitled "A general Accompt of the different plots of the runrig lands of Coldingham," noting at the end the marches after the division; 81 pages. No date.

643. Folio volume, being Decreet of Division of the runrig lands of Coldingham in the Cause—Patrick Home, John Wilkie of Foulden and others; dated 1772; 376 pages.

644. Folio volume about the erections of courts and lordships, and notes about titles of honour; eighteenth century.

645. Large volume, a thin folio—being a table of Contents to the Charters and other deeds relating to the Priory of Coldingham contained in Raine's History of Durham.

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